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THE STATE OF OHIO.

GENERAL AND LOCAL ACTS

PASSED,

AND

JOINT RESOLUTIONS

ADOPTED

BY THE

SIXTY-EIGHTH GENERAL ASSEMBLY

AT ITS REGULAR SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS, JANUARY 2, 1888.

VOLUME LXXXV.

COLUMBUS:
PUBLISHED BY STATE AUTHORITY.
THE COLUMBIAN PRINTING CO.,
STATE PRINTERS.
1888.

GENERAL LAWS.

[House Bill No. 8].

AN ACT

To amend section 2678 of the Revised Statutes of Ohio.

Compensation of law librarian, how fixed Cincinnati and Cleveland.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2678 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 2678. The judges of the court of common pleas of a county containing a city of the first or second grade of the first class, in which there is a law library association which furnishes to all the county officers, and the judges of the several courts in such county admission to its library, and the use of its books, free of charge, shall, upon the appointment, by the trustees of such association of a person to act as librarian thereof, fix the compensation, of such librarian, which shall be paid out of the county treasury.

SECTION 2. That section 2678 of the Revised Statutes is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 18, 1888.

[House Bill No. 102].

AN ACT

To provide for the publication of Volume 6, Geology of Ohio.

Volume 6 Economic Geology.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the several chapters that have been prepared by the state geologist and his assistants, under an act passed May 1, 1885, and an act supplemental to the same passed May 17, 1886, shall be furnished to the supervisor of public printing, on February 1, 1888, in the proper form for publication, and that the same shall be entitled, Geology of Ohio, volume 6, Economic Geology.

Printing and binding.

SECTION 2. There shall be printed of said volume 6, under the contract for state printing, fifteen thousand copies, including such maps and illustrations as shall be furnished by the state geologist for this purpose. These copies shall be printed and bound in the same style as volumes of the series already published, and the printing and proof reading shall be under the superintendency of the state geologist, for which said state geologist shall receive not exceeding the sum of five hundred dollars ($500).

Distribution.

SECTION 3. Of the fifteen thousand copies of volume 6, to be published, the following disposition shall be made:

To the state library, one hundred copies;

To the state geologist, four hundred copies;

To each state officer and state institution, one copy;

To be deposited with the secretary of state, to be sold at cost of publication, under such regulations as he may establish, one thousand copies, not more than one copy of which shall be sold to any one person; the moneys arising from such sales to be credited to the general revenue fund. The remainder shall be equally divided among the members of the sixty-eighth general assembly.

Appropriation for paper, maps, etc.

SECTION 4. For the purchase of paper, seventy pounds to the ream, at a rate not to exceed seven cents per pound, for engraving and printing of suitable maps and illustrations, for printing and binding said volume 6, and for cases for maps, there is hereby appropriated from the general revenue fund the sum of fifteen thousand dollars.

Purchases and disbursements.

SECTION 5. All purchases and disbursements for volume 6, shall be made under the same system by which the volume has been prepared, except that four thousand five hundred dollars ($4,500) for binding of said volume, shall be transferred to the appropriation for state bindery.

SECTION 6. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[Senate Bill No. 8].

AN ACT

To amend section 6454 of the Revised Statutes of Ohio, as amended March 21, 1887 (84 v., 227).

Concurrent criminal jurisdiction of probate court:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6454 of the Revised Statutes of Ohio, as amended March 21, 1887, be amended so as to read as follows:

SEC. 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors and in all proceedings to prevent crime in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Delaware, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, Warren, Pickaway, Seneca, Ross and Butler. In what counties.

SECTION 2. That said original section 6454, as amended March 21, 1887, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 86].

AN ACT

To amend section 463 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four hundred and sixty-three (463) of the Revised Statutes be and the same is hereby amended so as to read as follows: Times of holding Hamilton court of common pleas.

SEC. 463. The regular terms of the court of common pleas in and for the county of Hamilton, shall begin on the first Monday of January, the first Monday of April, the first Monday of July and the first Monday of October in each year.

SECTION 2. Said original section 463 is hereby repealed; and this act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 12]

AN ACT

Supplementary to section 6858.

Houses kept or let to be kept as habitual resorts for criminals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplementary to section 6858, and shall be known and numbered as section 6858*a*.

SEC. 6858*a*. A house or building used or occupied as an habitual resort for thieves, burglars, or robbers, is a public nuisance; and whoever keeps a house which is an habitual resort of such thieves, burglars, or robbers, or lets a house to be so kept, or knowingly permits a house which he has let, to be so kept, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both; and the court may order that the nuisance be abated.

Penalty.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[Senate Bill No. 67].

AN ACT

To change the time of holding the court of common pleas of Shelby county, Ohio, for the September term, 1888.

Changing time of holding Shelby common pleas court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the September term, 1888, of the court of common pleas in and for Shelby county, shall commence on the 10th day of September, 1888, instead of September 13, 1888, as now appointed.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed January 30, 1888.

[House Bill No. 56].

AN ACT

To amend section 1809 of the Revised Statutes of Ohio, as amended April 6, 1886 (83 O. L., page 68).

Police court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1809 of the Revised Statutes of Ohio, be so amended as to read as follows:

Powers, salary and bond of deputy clerk.

SEC. 1809. A deputy clerk of the police court may perform any duty of the principal; he shall receive such compensation as the council shall prescribe, but not exceeding fifteen nor less than seven hundred dollars per year; and such further compensation in cities of the first class of the first grade as the county commissioners shall determine, but not exceeding six hundred dollars per year, and such further compensation in cities of the first class of the second grade as the county commissioners shall determine, but not exceeding five hundred dollars per year; and the principal may take from him an undertaking, with sureties, for the faithful performance of such official duties.

SECTION 2. Such original section 1809, as amended April 6, 1886, is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 116].

AN ACT

To amend an act to authorize the sale of certain cemeteries and the removal of the remains of the dead interred therein.

Authorizing sale of certain cemeteries; application of proceeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1 of an act to authorize the sale of certain cemeteries and for other purposes, passed April 29, 1885, be amended so as to read as follows:

SEC. 1. That the trustees of any cemetery association, whose cemetery is within the limits of any city or village, interments in which have been prohibited by ordinance of such municipal corporation, or whose cemetery has been abandoned as a place for the burial of the dead, or which association is involved in debt which it is unable to pay, may apply by petition to the court of common pleas, of the county wherein such cemetery is located, for the sale of the

whole or a portion of said cemetery grounds, and the court may order the same to be sold, either the whole or such portion thereof as the court may direct, and the money derived from such sale shall, under the direction of the court, be applied to the costs and expenses of the removal and reinterment of the remains of the dead therein, and to the payment of the debts, if there be any, of such cemetery association, and the surplus, if any, shall be invested upon interest, and the income therefrom applied to keeping in repair the unsold portion thereof, or if the entire premises be sold, then the surplus shall be divided pro rata among the lot-owners, and the court shall grant such time for the removal of the dead, after the confirmation of such sale, as it may deem necessary.

SECTION 2. That said original section 1 be and the same is hereby repealed.

SECTION 3. This act to take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 134].

AN ACT

Making appropriation for contingent expenses of the house of representatives and senate.

Appropriation for contingent expenses of house and senate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is appropriated from any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of one thousand dollars ($1,000) for the contingent expenses of the house of representatives; and for the contingent expenses of the senate five hundred dollars ($500).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 165]

AN ACT

Making partial appropriations for the last three-quarters of the fiscal year ending November 15, 1888, and the first quarter of the fiscal year ending February 15, 1889.

Act making partial appropriations for state departments and institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums for the purposes hereinafter specified, to-wit:

Adjutant-General's Department:

Salary of the adjutant-general, two thousand dollars ($2,000).

Salary of assistant adjutant-general, one thousand five hundred dollars ($1,500).

Salary of chief clerk, one thousand four hundred dollars ($1,400).

Salary of assistant clerk, two hundred dollars ($200).

Salary of four transcribing clerks, twelve hundred dollars ($1,200).

Salary of superintendent of state arsenal, three hundred dollars ($300).

Contingent expenses and inspection, four hundred dollars ($400).

Transportation of indigent soldiers, fifty dollars ($50).

Care of military stores and freight on arms, two hundred dollars ($200).

For making soldiers' roster for publication, three thousand dollars ($3,000).

For expenses of shipping rosters of Ohio troops, three hundred dollars ($300).

State House and Grounds:

Salary of superintendent of laborers, nine hundred dollars ($900).

Salary of one engineer, one thousand dollars ($1,000).

Salary of two firemen, nine hundred dollars ($900).

Salary of janitor of flag-room, seven hundred and twenty dollars ($720).

Salary of visitors' attendant, seven hundred and twenty dollars ($720).

Salary of day policeman, seven hundred and twenty dollars ($720).

Salary of night policeman, eight hundred dollars ($800).

Salary of four regular laborers, five hundred dollars ($500).

Extra labor, five hundred dollars ($500).

Material and repairs, five hundred dollars ($500).

Fuel for state house, four hundred dollars ($400).
Water rents, five hundred dollars ($500).
Care and repair of heating apparatus, three hundred dollars ($300).

Agriculture:

Contingent expenses of board, two hundred dollars ($200).
For the encouragement of agriculture, fifteen hundred dollars ($1,500).

Agricultural Experiment Station:

Expenses of, five hundred dollars ($500).

Attorney-General:

Salary of attorney-general, fifteen hundred dollars ($1,500).
Salary of clerk, one thousand dollars ($1,000).
Contingent expenses, one hundred dollars ($100).
Fees on collections, five hundred dollars ($500).

Auditor of State:

Salary of auditor, three thousand dollars ($3,000).
Salary of chief clerk, two thousand dollars ($2,000).
Salary of book-keeper, sixteen hundred dollars ($1,600).
Salary of railroad and bank clerk, fifteen hundred dollars ($1,500).
Salary of land clerk, fifteen hundred dollars ($1,500).
Salary of canal and trust fund clerk, fourteen hundred dollars ($1,400),
Salary of statistical clerk, twelve hundred dollars ($1,200).
Contingent expenses, four hundred dollars ($400).

Board of Public Works:

Salaries of members, six hundred dollars ($600).
Salaries of engineers, nine hundred dollars ($900).

Board of State Charities:

Expenses of board, four hundred dollars ($400).

Commissioner of Common Schools:

Salary of commissioner, two thousand dollars ($2,000).
Traveling expenses of commissioner, one hundred and fifty dollars ($150).
Salary of chief clerk, seventeen hundred and fifty dollars ($1,750).
Salary of second clerk, twelve hundred dollars ($1,200).
Contingent expenses, one hundred and fifty dollars ($150).

Commissioner of Railroads and Telegraphs:

Salary of commissioner, two thousand dollars ($2,000).
Salary of chief clerk, twelve hundred dollars ($1,200).
Salary of assistant clerk, one thousand dollars ($1,000).
Experts to examine bridges, two hundred dollars ($200).
Contingent expenses, one hundred dollars ($100).

Commissioner of Statistics of Labor:

Salary of commissioner, two thousand dollars ($2,000).
Salary of clerk, four hundred dollars ($400).
Contingent expenses, four hundred dollars ($400).
Traveling expenses, one hundred dollars ($100).

Executive Department:

Salary of governor, eight thousand dollars ($8,000).
Salary of private secretary, eight hundred dollars ($800).
Salary of executive clerk, fifteen hundred dollars ($1,500).
Contingent expenses, clerk hire and newspapers, five hundred dollars ($500).
Salary of lieutenant-governor, eight hundred dollars ($800).

Inspector of Mines:

Salary of chief inspector, two thousand dollars ($2,000).
Salaries of district inspectors, three thousand six hundred dollars ($3,600).
Contingent expenses of mine inspectors, five hundred dollars ($500).
Clerk hire, one hundred dollars ($100).

Inspector of Workshops and Factories:

Salary of chief inspector, fifteen hundred dollars ($1,500).
Salaries of district inspectors, eight hundred dollars ($800).
Traveling expenses of chief inspector, two hundred dollars ($200).
Traveling expenses of district inspectors, four hundred dollars ($400).
Contingent expenses, one hundred and fifty dollars ($150).
Clerk hire, two hundred dollars ($200).

Judiciary:

Salaries of supreme, circuit, superior and common pleas judges, two hundred and ninety-six thousand dollars ($296,000).

Law Library:

Salary of law librarian, fifteen hundred dollars ($1,500).
Salary of assistant law librarian. one thousand dollars ($1,000).
Contingent expenses, fifty dollars ($50).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms, and employes, fifty thousand dollars ($50,000).
Expenses of legislative committees, two hundred dollars ($200).

Ohio Dairy and Food Commissioners:

Salary of commissioner, fifteen hundred dollars ($1,500)
Expenses of commissioner, one hundred and fifty dollars ($150).
Salary of assistant commissioners, two thousand dollars ($2,000).
Expenses of assistant commissioners, three hundred dollars ($300).
Compensation of state chemist, two hundred dollars ($200).

Ohio Penitentiary:

Per diem of managers, one thousand dollars ($1,000).
Salaries of officers, four thousand dollars ($4,000).
Salaries of guards, fifteen thousand dollars ($15,000).
Current expenses, thirty thousand dollars ($30,000).
Manufacture of gas, fifteen hundred dollars ($1,500).
Library, one hundred dollars ($100).
Rewards to convicts, two thousand dollars ($2,000).
Water-works, five hundred dollars ($500).
Expenses attending executions, five hundred dollars ($500).
Ordinary repairs, two thousand dollars ($2,000).

Secretary of State:

Salary of secretary of state, two thousand dollars ($2,000).
Salary of chief clerk, two thousand dollars ($2,000).
Salary of statistical clerk, fourteen hundred and twenty-nine dollars and eight cents ($1,429.08).
Salary of stationery clerk, thirteen hundred and fifty dollars ($1,350).
Salary of recording clerk, thirteen hundred and fifty dollars ($1,350).
Salary of corporation clerk, thirteen hundred and fifty dollars ($1,350).
Salary of superintendent of book-room, eight hundred dollars ($800).
Stationery, three thousand dollars ($3,000).
Printing paper, eight thousand dollars ($8,000).

State Library:

Books, magazines and papers, three hundred dollars ($300).
Salary of state librarian, fifteen hundred dollars ($1,500).
Salary of assistant librarian, twelve hundred dollars ($1,200).
Salary of janitor, one hundred dollars ($100).

Superintendent of Insurance:

Salary of superintendent, two thousand dollars ($2,000).
Salary of chief clerk, fifteen hundred dollars ($1,500).
Salary of examining clerk, fifteen hundred dollars ($1,500).
Salary of book-keeper, twelve hundred dollars ($1,200).
Salary of corresponding clerk, one thousand dollars ($1,000).
Salary of mailing clerk, eight hundred dollars ($800).
Salary of extra clerks, five hundred dollars ($500).
Salary of actuary, two hundred and fifty dollars ($250).
Contingent expenses, four hundred dollars ($400).

Supervisor of Public Printing:

State printing, three thousand dollars ($3,000).
State binding, three thousand dollars ($3,000).
Salary of supervisor, eighteen hundred dollars ($1,800).

Supreme Court:

Contingent expenses, one hundred dollars ($100).
Salary of janitor of supreme court, six hundred dollars ($600).

Clerk of Supreme Court:

Salary of deputy clerk, twelve hundred dollars ($1,200).
For extra clerk hire, two hundred and fifty dollars ($250).

Reporter of Supreme Court:

Salary of reporter, one thousand dollars ($1,000).
Contingent expenses, twenty-five dollars ($25).

Treasurer of State:

Salary of treasurer, three thousand dollars ($3,000).
Salary of cashier, two thousand dollars ($2,000).
Salary of two book-keepers, twenty-seven hundred dollars ($2,700).
Salary of messenger and janitor, six hundred dollars ($600).
Salary of two night watchmen, four hundred dollars ($400).
Collecting auditor state's drafts, five hundred dollars ($500).
District alarm telegraph, ten dollars ($10).

Athens Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Ordinary repairs, twelve hundred dollars ($1,200).
Salaries of officers, fifteen hundred dollars ($1,500).

Cleveland Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, twelve hundred dollars ($1,200).
Ordinary repairs, one thousand dollars ($1,000).

Columbus Asylum for the Insane:

Current expenses, thirty thousand dollars ($30,000).
Salaries of officers, fifteen hundred dollars ($1,500).
Ordinary repairs, two thousand dollars ($2,000).

Dayton Asylum for the Insane:

Current expenses, twenty thousand dollars ($20,000).
Salaries of officers, thirteen hundred dollars ($1,300).
Ordinary repairs, one thousand dollars ($1,000),

Toledo Asylum for the Insane:

Current expenses, thirty thousand dollars ($30,000).
Salaries of officers, one thousand dollars ($1,000).
Surgical instruments, one hundred dollars ($100).

Longview Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
All appropriations for this asylum to be paid out in equal monthly installments.

Boys' Industrial School:

Current expenses, seven thousand dollars, ($7,000).
Salaries of officers and teachers, five thousand dollars ($5,000).
Expenses of trustees, one hundred dollars ($100).
Ordinary repairs, five hundred dollars ($500).

Girls' Industrial Home:

Salaries of officers and teachers, four thousand five hundred dollars ($4.500).
Expenses of trustees, two hundred dollars ($200).
Furniture and carpets, three hundred dollars ($300).

Ohio Institution for the Blind:

Current expenses, eight thousand dollars ($8,000).
Salaries of officers and teachers, three thousand dollars ($3,000).
Ordinary repairs, three hundred dollars ($300).
Carpets, bedding and furniture, three hundred dollars ($300).

Institution for the Deaf and Dumb:

Current expenses, ten thousand dollars ($10,000).
Salaries of officers and teachers, five thousand dollars ($5,000).
Ordinary repairs, one thousand dollars ($1,000).
Foreman of carpenter shop, two hundred dollars ($200).
Supplies of carpenter shop, one hundred dollars ($100).
Foreman of shoe shop, two hundred dollars ($200).
Supplies for shoe shop, two hundred dollars ($200).
Foreman of printing office, two hundred dollars ($200).
Supplies for printing office, one hundred dollars ($100).
Foreman of tailor shop, two hundred dollars ($200).
Supplies for tailor shop, two hundred dollars ($200).
Lumber and nails for boxes for state, two hundred dollars ($200).

Institution for Feeble-minded Youth:

Current expenses, twenty-thousand dollars ($20,000).
Ordinary repairs, one thousand dollars ($1,000).
Salaries of officers and teachers, three thousand dollars ($3 000).
Expenses of trustees, one hundred dollars ($100).
For steam heating new buildings, three thousand dollars ($3,000).
For plumbing new buildings, two thousand dollars ($2,000).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, twenty thousand dollars ($20,000).
Salaries of officers and teachers, four thousand dollars ($4,000).
Ordinary repairs, one thousand dollars ($1,000).
Expenses of trustees, one hundred dollars ($100).
Salaries of foremen of industrial pursuits, fifteen hundred dollars ($1,500).

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1888, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. In addition to the several appropriations made for the institutions for the insane, blind, deaf and dumb and feeble-minded youth, the girls' industrial home, the boys' industrial school, and soldiers' and sailors' orphans' home, there is hereby appropriated for the use of said institutions any moneys received from sources other than the state treasury, by their respective financial officers, which moneys shall be credited to the current expense funds of said institutions respectively.

SECTION 4. No bills for clerk hire, for furniture or carpets, or for newspapers shall be paid out of appropriations made for contingent expenses; no bills for horses or cows, carriages or wagons, carpets or furniture, or any expenses for officers attending state, inter-state or national associations of benevolent institutions, or for salaries of the secretaries of the boards of trustees of any state institution, shall be paid out of appropriations made for the current expenses of said institution; and no money herein appropriated shall be drawn, except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or the material furnished and the date of purchase and the time of

service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 2, 1888.

[House Bill No. 286].

AN ACT

Making appropriations for the support of the common schools of Ohio.

Appropriation for common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any moneys raised or coming into the state treasury, for the support of the common schools of this state, one million six hundred and fifty-four thousand and eighty-one dollars and fifty cents ($1,654,081.50), or so much thereof as may come into the said treasury for that purpose, to be distributed and paid out, in the manner provided by law, for the support of the said common schools.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 3, 1888.

[Senate Bill No. 4].

AN ACT

To amend section 5707 of the Revised Statutes of Ohio, as amended April 14, 1884.

[SECTION 1.] *Be it enacted by the General Assembly of the State of Ohio*, That section 5707 of the Revised Statutes of Ohio, as amended April 14, 1884 (81 v. 198), be so amended as to read as follows:

How heir or his guardian may assign dower.

SEC. 5707. When the lands of a deceased person are not incumbered by mortgage or by judgment obtained against such decedent in his lifetime, the heir or guardian of any heir, or other person having the next immediate estate or inheritance, may assign to the widow her dower therein by writing under his hand, particularly describing the same, which, if approved in writing on the deed of assignment by the probate judge of the county of her residence, and by the probate judge of the county appointing such guardian, and accepted by the widow in writing thereon, shall be a good assignment in law.

SECTION 2. That said section 5707, as amended April 14, 1884 (81 v., 198), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 9, 1888.

[House Bill No. 263]

AN ACT

Making an appropriation to pay the expenses of the defenses of certain actions.

Appropriation to pay counsel for the state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of paying the fees and expenses of counsel employed on the part of the state in the defense of certain actions pending in the state and United States courts, in tax, bank and foreign incorporation cases, there is hereby appropriated from any money in the state treasury to the credit of the general revenue funds, not otherwise appropriated, the sum of twenty-five hundred dollars ($2,500), to be paid out on the warrant of the auditor of state upon vouchers approved by the governor and attorney-general.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[Senate Bill No. 7].

AN ACT

To amend section 6946 of the Revised Statutes of Ohio, as amended March 11, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6946 of the Revised Statutes of Ohio, as amended March 11, 1887, be so amended as to read as follows:

Prohibiting sale of intoxicating liquors and keeping of houses of illfame at certain places.

SEC. 6946. Whoever sells intoxicating liquors, or keeps a house of ill-fame, at or within twelve hundred yards of the administration or main central building of the Columbus asylum for the insane, Dayton asylum for the insane, Athens asylum for the insane, Toledo asylum for the insane, soldiers' and sailors' Home, or of the institution for feeble-minded youth, or the Ohio soldiers' and sailors' orphans' home, or within two miles of the boundary line of the boys' industrial school, south of Lancaster, Fairfield county, or within two miles of the place where any agricultural fair is being held, or within one mile of any county children's home of any county of the state, situate within one mile of any incorporated village or city, in which the sale of intoxicating liquors is prohibited by an ordinance of such village or city made in pursuance of the act entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," passed March 11, 1887, shall be fined not more than one hundred or less than twenty-five dollars, or imprisoned not more than thirty days, or both. And on conviction of the owner or keeper thereof, the place wherein such intoxicating liquors are sold, shall, by order of the court, be shut up and abated as a nuisance.

SECTION 2. The said amended section 6946, as amended March 11, 1887, be and the same is hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed February 15, 1888.

[Senate Bill No. 69].

AN ACT

To amend an act entitled an act supplemental to section 675 of the Revised Statutes of Ohio, passed March 24, 1885.

Soldiers' and sailors' orphans' home:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections shall be supplemental to section 675 of the Revised Statutes of Ohio, and shall be numbered as follows:

Board of lady visitors.

SEC. 675*a*. The governor shall appoint a board of visitors for the soldiers' and sailors' orphans' home, which shall consist of five women, whose term of office shall be five years; except for the first appointment, one shall be appointed for one year, one for two years, one for three years, one for four years and one for five years, and until their successors are appointed. The members of this board shall receive no compensation for their services, but shall be paid their necessary expenses by the state treasurer, on the warrant of the auditor of state, issued upon the certificate of the president of the board. The governor, on good cause, may remove any of said visitors, and fill any vacancy of said board.

Officers and duties of board.

SEC. 675*b*. Before entering upon the discharge of their duties, the members of said board shall organize by electing a president and secretary, who shall be of their number. It shall be the duty of said board to visit the home at least twice a year, and oftener, if in their judgment necessary, and advise with the board of trustees and board of state charities as to the interest of the home, and make such recommendations, in writing, as they may deem necessary, addressed to the president of the board of trustees; and a duplicate shall by said board of visitors be sent to the president of the board of state charities.

SECTION 2. The act entitled an act supplementary to section 675 of the Revised Statutes of Ohio, be and the same is hereby repealed,

SECTION 3. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed February 16, 1888.

[House Bill No. 37].

AN ACT

To amend section 7025 of the Revised Statutes of the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7025 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 7025. The house, buildings, portions of buildings and places mentioned in this section are public nuisances, and a person who keeps a house or place of ill-fame or assignation, for the purpose of prostitution, or lewdness, or a house, or place, for persons to visit for unlawful sexual intercourse, or for any other lewd, obscene, or indecent purpose, or a disorderly house or place, or any place of public resort by which the peace, comfort or decency of a neighborhood is habitually disturbed, or who, as agent or owner, lets a place, building, or any portion of a building, knowing that it is intended to be used for any purpose classified in this section, or who knowingly permits a place or building, or a portion of a building to be so used, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both; and the court may order that the nuisance be abated.

Penalty for keeping or letting house of ill-fame, assignation, etc.

Abatement of such houses as public nuisances.

SECTION 2. Said original section 7025 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after thirty days from its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed February 20, 1888.

[Senate Bill No. 39].

AN ACT

To amend section 705 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 705 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 705. The probate judge, upon receiving the certificate of the medical witness, made out according to the provisions of the preceding section, shall, forthwith, apply to the superintendent of the asylum for the insane, situated in the

Application for admission to asylum for insane.

district in which such patient resides; he shall, at the same time, transmit copies under his official seal of the certificate of the medical witness, and of his findings in the case; upon receiving the application and certificate, the superintendent shall immediately advise the probate judge whether the patient can be received, and if so, at what time; the probate judge, when advised that the patient will be received, shall forthwith issue his warrant to the sheriff, commanding him to forthwith take charge of and convey such insane person to the asylum; if the probate judge is satisfied, from proof, that an assistant is necessary, he may appoint one person as such assistant; provided, if such insane person be a female, the probate judge shall appoint a suitable female assistant to accompany said sheriff and such insane person to the asylum. The warrant of the probate judge shall be substantially as follows:

Conveyance of insane person to asylum.

The State of Ohio,..... county, ss.
Office of the probate judge of said county.

To ....

Warrant to admit a patient and its return.

All the proceedings prescribed by law to entitle ..... to be admitted into the asylum for the insane having been had, you are commanded, forthwith, to take charge of, and convey said ..... to the asylum for insane, at .....; and you are authorized to take ..... as assistant; after executing this warrant you will make due return thereof to this office. Witness my hand and official seal this ..... day of ..... A. D.....

....., Probate Judge.

Upon receiving such patient, the superintendent shall endorse upon the warrant, a receipt substantially as follows:

Asylum for the insane at .....,
.... , A. D. .....
Received this day, of ...., the patient named in this warrant.
....., Superintendent.

When judge may refuse to make application.

This warrant, with the receipt of the superintendent thereon, shall be returned to the probate judge who issued it, and shall be filed by him with the other papers relating to the case; if the medical witness does not state in his certificate that the patient is free from all infectious diseases and from vermin, the probate judge shall refuse to make the application to the superintendent as herein provided, until such certificate is furnished; the relatives of any person charged with insanity, or who is found to be insane, shall, in all cases, have the right to take charge of and keep such insane person charged with insanity if they desire to do so; and in such case, the probate judge, before whom the inquest has been held, shall deliver such insane person to them.

Right of relatives to keep patient.

SECTION 2. The said original section 705 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 20, 1888.

[House Bill No. 293].

AN ACT

To authorize townships having a population at the last federal census in 1880, and which at any subsequent federal census may have a population of 5226, to issue bonds for the purpose of purchasing and selling right of way for a railroad company within the limits of said township.

Authorizing issue of railway bonds by Goshen township, Tuscarawas county, for the purchase of right of way.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever in any township which by the federal census of 1880 had, and which by any subsequent federal census may have, a population of 5226, the township trustees thereof shall, by resolution passed by a majority of the members elected to such office, declare it to be essential to the interest of such township that the rights of way for a railway should be provided between the termini designated therein within the boundaries of such township, it shall be lawful for such board of trustees, and they are hereby authorized to borrow for that purpose, a sum not to exceed ten thousand dollars, and to issue bonds in the name of such township, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, said bonds to be payable at such times and places, and in such sums as shall be deemed best by such trustees, Said bonds shall be signed by such board of trustees and the clerk of such township, who shall keep a register of the same, but said bonds shall not be sold at less than their par value. They shall be secured by a tax which it shall be the duty of said trustees to levy, and which shall not exceed one mill on the dollar, on the tax duplicate of such township for taxation, per year; provided, that such township or any municipal corporation therein shall not, in any one year, levy taxes at a higher rate than is now authorized by law, including the levy made for the payment of said bonds and the interest thereon.

Such issue to be submitted to a vote.

SECTION 2. Such bonds shall not be issued nor tax levied, until the question of providing the right of way specified in said resolution shall be submitted to a vote of the qualified electors of such township, at a special election ordered for that purpose by said trustees, of which not less than ten days' notice shall be given in one or more newspapers published in such township. The electors desiring to vote in favor of such right of way, and the levy of said tax shall have written or printed on their ballots the words, "Right of way for railroad—Yes"; and those opposed thereto shall have written or printed on their ballots the words, "Right of way for railroad—No." The returns of said election shall be made to the clerk of such township and by him laid before the trustees thereof, who shall declare the result by resolution.

Duty of township trustees.

SECTION 3. If three-fifths of the votes cast at such election shall be in favor of the purchase of said right of way, it shall be the duty of said township trustees to issue and sell said bonds, levy said tax, and forthwith proceed to purchase

to the best advantage and most reasonable rates, the right of way between the points specified in such resolution.

Sale of right of way purchased.

SECTION 4. After such bonds shall have been issued and disposed of, and such trustees shall have procured the right of way between such termini out of the proceeds or any part thereof of the sale of said bond, such trustees are hereby authorized to sell and convey such right of way to any railroad company on such terms as they shall deem most conducive to the interest of such township. The deed of conveyance shall be signed by the trustees or a majority thereof, and acknowledged according to law.

Preliminary expenses.

SECTION 5. The preliminary expenses of carrying into effect the provisions of this act shall be advanced by said trustees of the township out of funds [of] said township.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 20, 1888.

[House Bill No. 67].

AN ACT

To amend section two (2) of an act entitled, "an act to provide for the publication and distribution of the roster of Ohio soldiers," passed May 12, 1886, and amended February 3, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two (2) of the above mentioned act be so amended as to read as follows:

Distribution of volumes of roster of Ohio soldiers.

SEC. 2. The distribution of said volumes shall be under the direction of the adjutant-general, and shall be as follows: To each member of the sixty-seventh (67) general assembly, 20 copies of each volume, inclusive of copies already received; and each member of the sixty-eighth (68) general assembly, twenty (20) copies of each volume, but when any member of the sixty-seventh (67) general assembly becomes a non-resident of the county or district he represented, the said copies of each volume may be drawn by his successors; to the roster commission, twenty-five (25) copies of each volume; to the adjutant-general, for distribution to the adjutant-general of each state and territory, and proper officials of the war department at Washington, D. C., sixty (60) copies of each volume; to each of the state officers of Ohio, and to each of the various state departments and

institutions, one (1) copy of each volume; to the state library, fifty copies of each volume for exchanges, and ten copies of each volume [to be] retained permanently therein; to each public library of an incorporated city or village of the state, one copy of each volume; to each post of the grand army of the republic, and to each command or the union veterans' union, on condition that if the post, camp or command be disbanded at any time, the same shall be returned to the state library, one copy of each volume; and to the department of Ohio grand army of the republic, and loyal legions, each one copy of each volume; and to each camp of the sons of veterans, on condition that if the camp be disbanded at any time the same shall be returned to the state library, one copy of each volume; to each county recorder, to be by him kept in his office, and transferred to his successor as other public records, one copy of each volume; to each township clerk, to be by him kept in his office and to be transferred to his successor, one copy of each volume; to each clerk in roster department, one copy of each volume; provided that any distribution herein provided for shall be inclusive of copies of volumes already distributed under former laws; the remainder of said copies after such distribution, shall be placed on sale by the adjutant-general, at a price not exceeding one dollar per volume; he shall keep a record of such sales, and shall, at the end of each quarter of the fiscal year, pay into the state treasury, the sum received, until all of said volumes are sold, unless otherwise directed by the general assembly; provided, that he shall not sell more than one copy of each of the said volumes to the same person.

Distribution of volumes of roster of Ohio soldiers.

SECTION 2. That section two (2) of said act, passed May 12, 1886 (83 v. 146), as amended February 3, 1887, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH.
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed February 20, 1888.

[Senate Bill No. 17].

AN ACT

Supplementary to section 2970, Revised Statutes, and to provide for contested elections of presidential electors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2970 of the Revised Statutes be supplemented as follows:

Notice of contest of election of presidential electors.

SEC. 2970*a*. Any qualified voter may contest the election of the electors so chosen, or any of them, by serving notice upon the contestee or contestees in the manner and time prescribed in section 3005, and filing a copy thereof with the governor of the state within five days after the mailing by him of the certificates of election prescribed in section 2970; and the provisions of sections 2998, 2999. 3000 and 3001 shall apply to such contest, except that all testimony taken and all matters relating to the contest shall be sent to and filed with the secretary of state, before the day appointed by the governor for the hearing; and every such contest shall be heard and determined as hereinafter provided.

Procedure.

Commission to hear such contests.

SEC. 2970*b*. Upon the filing of the copy of such notice with the governor, it shall be his duty within five days to appoint four of the judges of the circuit courts, not more than two of whom shall be of the same political party, or so reputed to be, who, with the governor, shall be a commission to hear and determine such contest; and he shall appoint the time for such hearing, which shall be within ten days, and give them notice thereof; and thereupon a certified copy of the notice filed with the governor by the contestor, and notice in writing to the contestee or contestees of the time so appointed for the hearing, and requiring him or them to attend, in the hall of the supreme court at Columbus, at such time, and answer the contest, shall be issued by the secretary of state to the sheriff of Franklin county; or if he be disqualified, to the coroner of said county, and may and shall be served by him upon such contestee or contestees, in any county, and return made to the secretary of state, as upon the summons in a civil action. The secretary of state shall act as the secretary of such commission, and discharge such duties as they may direct in that behalf.

Notice to contestees of time of hearing, etc.

Secretary of commission.

Powers of and rules governing commission.

SEC. 2970*c*. The said commission shall, in hearing and determining such contest or contests, have and exercise all the powers and authority, and be governed by the same rules and procedure, as may be prescribed for the senate in contested elections of state officers, so far as applicable, and subject to the constitution and laws of the United States. In any order or vote by the commission, and in the final decision and judgment upon the contest, the governor shall vote if the other members of the commission are equally

divided, and not otherwise. The judgment of such commission, or the majority, upon the contest or contests at any election of electors of president and vice-president of the United States, shall be final and conclusive thereof, and the record of the judgment and proceedings shall be filed and kept by the secretary of state in his office.

When governor shall vote; judgments and records of commission.

SEC. 2970*d*. If any contestee or contestees be ousted by the judgment of such commission or the majority of them, the certificate of election so issued to him or them shall be null and void, and the governor shall forthwith make and transmit by mail to the person or persons, if any, ascertained and determined by the judgment of the commission, or a majority of them, to have been duly elected, a certificate of his or their election to the said office of elector or electors of president and vice-president of the United States, and shall cause notice of his or their election and of such judgment to be proclaimed and published and [as?] prescribed in section 2970.

Proceedings under judgment of ouster.

SEC. 2970*e*. The commission shall render judgment against the party failing in any such contest for all the costs, including the costs of all depositions filed and allowed; and execution for the same shall be issued to any sheriff in the state and levied and collected as upon judgment and execution at law. Security for costs, satisfactory to the secretary of state, shall be given by the contestee or contestees before any notice of the contest shall be issued by him.

Costs.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 21, 1888.

[House Bill No. 197]

AN ACT

To pay certain military claims allowed and recommended by the military claims committee.

Appropriation to pay certain military claims.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, from any money in the treasury to the credit of the general revenue fund not otherwise appropriated, the sum of twenty-six hundred and thirty-nine dollars and twenty-seven cents

Appropriation to pay certain military claims.

($2,639.27), for the purpose of paying war claims due and allowed by the military claims committee to the persons herein named:

James B. Hovey & Co...	Contractors	.....	Subsistence	$ 216.71
Charles Swan.....	Contractor	.....	"	48.60
Lois G., widow of C. A. Crandall.....	"	.....	"	35.60
Charles C. Alshire.....	Captain	18th Ohio Inf..	Expenses.....	51.94
Catherine Adams.....	.....	.....	Qt. Mast. Stores...	29.00
Richard D. Edwards.....	Lieutenant.....	173d Ohio Vol	Pay Prior to Muster	111.90
J. C. Edmonson.....	"	190th " "	" "	258.40
John R. Donaldson.....	Serg. Co. I.....	40th " "	" "	35.85
Chas. C. Chapman.....	"	125th Ohio Inf	" "	219.90
John Moore.....	"	O. S. Shooters	" "	102.60
R. W. Thompson.....	"	125th Ohio Inf	" "	77.27
H. Pearson.....	Dept. Pro. Mar	.....	Draft, 1862.....	555.00
Charles P. Chandler	Pro. Mar.....	.....	"	54.00
John Bothwell.....	2d Lieutenant	61st Ohio Vol	Pay Prior to Muster	129.20
John Walsh.....	Lieutenant.....	50th "	" "	229.50
James Armstrong.....	2d Lieutenant	50th "	" "	129.20
Leonard Myers.....	Private	23d Ohio Inf...	Services	11.71
George W. Knowlton...	"	23d " ...	Pay Prior to Muster	11.71
Allen D. S. McArthur...	2d Lieutenant	129th Ohio Vol	" "	246.58
Total	.....	.....	.....	$2,639.27

And the auditor of state is hereby authorized to issue his warrant on the treasurer for the above amounts.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON.
President of the Senate.

Passed February 21, 1888.

[House Bill No. 243].

AN ACT

To provide for the election of an additional judge of the court of common pleas, in the first sub-division of the sixth judicial district of the state of Ohio.

Election of additional judge, first sub-division, sixth district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the sixth judicial district of the state of Ohio, there shall be an additional judge of the court of common pleas for one term, who shall be a resident of the first sub-division of said district, and who shall be elected by the qualified electors of the counties of Licking, Knox and Delaware, comprising said first sub-division.

Time of election, term, powers, duties and compensation.

SECTION 2. That the election for said additional judge shall be held on the first Monday of April, 1888, at the township election, under and in pursuance of the general election laws of the state of Ohio governing the election of judges of the courts of common pleas, and he shall be elected for the term of five years, beginning on the third Monday of April, A. D. 1888, and shall have all the powers and be subject to all the obligations and shall perform all the duties pertaining to the office of judge of the common pleas court, receiving as compensation the same as other common pleas judges.

Vacancies.

SECTION 3. That should a vacancy occur in the office of said additional judge by death, resignation or otherwise, it shall be filled in the manner provided for filling other vacancies in the office of the judges of the court of common pleas.

Ballots, poll-books, tally-sheets and abstracts of election.

SECTION 4. At said election on the first Monday of April, A. D. 1888, for such additional judge, a separate ballot shall be voted by each elector and shall be deposited in a separate ballot box by the judges of said election, and separate poll books and tally sheets shall be kept at each election precinct.

One of each of said poll-books and tally sheets shall be returned to the clerk of the court of common pleas of the county in which said several precincts are situated, and said clerks of the court of common pleas in said counties shall make and transmit abstracts as in other cases of the election of judges of the courts of common pleas.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 51].

AN ACT

To amend section 4084, as amended March 24, 1881, and as amended March 17, 1886, of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand and eighty-four of the Revised Statutes, as amended March 24, 1881, and as amended March 17, 1886, be amended so as to read as follows:

Boards of school examiners for city districts, second class, and village districts.

SEC. 4084. The provisions of this chapter relating to boards of examiners for city districts of the first class, shall be applicable to such boards for city districts of the second class and village districts having an enumeration of not less than seven hundred youth of school age; except that such boards shall consist of three members, and except also that the examination fees shall be disposed of, and statements filed with the county auditor, as provided in section four thousand and seventy-two, in all such districts not covered by the provisions of section four thousand and ninety-three.

SECTION 2. That section four thousand and eighty-four of the Revised Statutes, as amended by an act to amend section four thousand and eighty-four, passed March 24, 1881, and as amended by an act to amend section four thousand and eighty-four, passed March 17, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 121].

AN ACT

To amend section 6945 of the Revised Statutes, as amended March 16, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6945 of the Revised Statutes, as amended March 16, 1880, be so amended as to read as follows:

Penalty for selling intoxicating liquors, etc., near certain meetings.

SEC. 6945. Whoever sells, or exposes for sale, gives, barters, or in any other way disposes of any spirituous or other liquors, or any articles of traffic whatsoever, at any place at or within the distance of four miles from the place where any religious society or assemblage of people is collected or collecting

together for religious worship, or for the purpose of holding a harvest home festival, or where there is being held a grand army, sons of veterans', or union veterans' union celebration, or reunion, shall be fined not more than one hundred nor less than ten dollars; this section does not extend to tavern keepers exercising their calling, or distillers, manufacturers, or others prosecuting their regular business according to law, at their regular place of doing business nor to any person disposing of any ordinary articles of provisions, excepting spirituous liquors, at his residence, nor to any person having a permit from the trustees or managers of any such religious society or assemblage or grand army, sons of veterans' or union veterans' union celebration or reunion to sell provisions for the supply of persons attending such religious worship or such grand army, sons of veterans' or union veterans' union, and who is observing the regulations of such society or assemblage, and the laws of the state.

To whom the act does not apply.

SECTION 2. Said original section 6945 as amended March 16, 1880, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 179].

AN ACT

To amend section 6562 of the Revised Statutes of Ohio, as amended April 15, 1882 (79 vol. 128).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6562 of the Revised Statutes of Ohio, as amended April 15, 1882 (79 vol., 128), be amended as follows:

Justices of the peace

SEC. 6562. If either the plaintiff or defendant, in his bill of particulars, claim more than twenty dollars, the case may be appealed to the court of common pleas; but if neither party demand a greater sum than twenty dollars, and the case is tried by a jury, there shall be no appeal; provided, however, that if either party shall set forth in his bill of particulars, counter-claim, or set-off, a full statement of the items constituting his cause of action, or defense, and if the same shall be verified by the affidavit of the party, his agent or attorney, the party appearing having complied with the

What cases are appealable.

Default judgments.

provisions of this section shall be entitled to a judgment, without further proof, in all cases where the opposing party fails to appear and set up his defense to such cause of action, counter-claim, or set-off in accordance with the provisions of this section.

SECTION 2. That said section 6562 of the Revised Statutes of Ohio, as amended April 15, 1882 (79 vol., 128), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 205].

AN ACT

To prevent any person from unlawfully using or wearing the badge of the grand army of the republic, union veterans' union, sons of veterans, or military order of the loyal region of the state of Ohio.

Penalty for unlawfully wearing grand army or other military badges.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any person who shall wilfully wear the badge or button of the grand army of the republic, union veterans' union, sons of veterans, or military order of the loyal legion, or shall use or wear the same to obtain aid or assistance thereby within this state, unless he shall be entitled to use or wear the same under the rules and regulations of the grand army of the republic, union veterans' union, sons of veterans, or military order of the loyal legion, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding twenty dollars, or imprisoned for a term not exceeding thirty days, or both at the discretion of the court.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 296].

AN ACT

To give consent to the purchase, by the United States, of a site for the erection of a public building in Dayton, Ohio, and ceding jurisdiction over the same.

Authorizing United States to purchase land in Dayton for public building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the consent of the state of Ohio is hereby given to the purchase by the United States of America, of one or more pieces of land, situate in the city of Dayton, Montgomery county, Ohio, not exceeding one acre in quantity, more fully described as follows: Being situate at the south-west corner of Main and Fifth streets in said city, and being a frontage of one hundred and twenty feet on Main street, and extending back by parallel lines one hundred and eighty feet, with a frontage of one hundred and eighty feet on Fifth street, on which to erect a public building and appurtenances, for the use and accommodation of the post-office, internal revenue office, pension office, and for other government uses; and the said United States shall have, hold, use, occupy and own the said land when purchased, and exercise exclusive jurisdiction and control over the same, and each and every part thereof, subject to the restriction hereinafter mentioned.

Cession of jurisdiction.

SECTION 2. The jurdisdiction of the state of Ohio in and over the land mentioned in this act, when purchased by the United States, shall be and the same is hereby ceded to the United States, to continue so long, and no longer, than the United States shall own and occupy the said land.

Conditions and reservations.

SECTION 3. The said consent is given and the said jurisdiction ceded upon the express condition that the state of Ohio shall retain concurrent jurisdiction with the United States in and over said land, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of Ohio, against any person or persons charged with any crime, misdemeanor or offense committed within said state, including said land, may be served and executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States; and also upon the further condition that all persons who are now residing, or shall hereafter reside upon said land so acquired, shall, subject to the general laws of this state, be deemed and held to be citizens of the state of Ohio, entitled to all the privileges and subject to all the liabilities and duties of citizens of this state; and the taking possession of said lands by the United States shall be taken and held as an acceptance on the part of the United States of all the stipulations, conditions and terms of this act.

Vesting of jurisdiction; freedom from taxation of property purchased.

SECTION 4. The jurisdiction ceded by this act shall not vest until the United States has acquired the title of said lands by purchase or otherwise; and so long as said land shall remain the property of the United States, and no longer, the same shall be exempted from all taxes, assessments and other charges which may be levied or imposed under the authority of this state.

SECTION 5. This act shall take effect from its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 194].

AN ACT

To regulate the construction of buildings within any city of the first class and first grade, and to provide for the appointment of an inspector of buildings, and to repeal an act passed March 21, 1887 (84 v. 143).

Cincinnati: Appointment of inspector of buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of the city shall appoint in every city of the first class of the first grade, one person who shall be an architect or builder, as "inspector of buildings" in said city of the first class, who shall hold such office for

Term.

the term of two years, from and after the date of his appointment, subject to the provisions and stipulations of this act hereinafter provided, and until his successor is duly appointed

Removal.

and qualified, but may be removed by said mayor for malfeasance, misfeasance or nonfeasance in office; the said inspector shall receive an annual salary of $3,000.00, which

Salary and fees.

shall be in full for all services to be performed by him, and all fees received by him shall be paid to the city treasurer on or before the tenth day of each month for the month preceding; and the said inspector shall devote his entire time to the inspection of buildings and shall not be interested in any other branch of the building business; said inspector shall have an

Assistant inspector; deputies and clerk.

"assistant inspector" of buildings, at a salary not to exceed $1,500.00 per annum, and an assistant who shall act as an "inspector of plumbing," at a salary not to exceed $1,200.00 per annum, two "deputies," at a salary not to exceed $900.00 per annum each, and one "clerk" at a salary not to exceed $900.00 per annum, said salaries payable as the salaries of other city officers; said "assistant inspector" of buildings, and assistant "inspector of plumbing," not to exceed two deputies and a clerk, to be appointed by and each to hold his office during the pleasure of said inspector of buildings.

Oath and bond.

SECTION 2. The inspector of buildings shall, before he enters upon the duties of his office, take and subscribe an oath to faithfully and impartially execute the duties of his office, and shall give bond in the sum of $15,000.00, with two or more sufficient securities, to be approved by the city solicitor, conditional for the faithful performance of his duties.

Office.

SECTION 3. The said inspector shall keep an office in the city hall or such other place as shall be provided by the common council, where it shall be his duty to keep a record of all the permits issued, which shall be regularly numbered in the order of their issue, and also a record of the statement upon which the permits are issued. He shall also keep a record of the number, description, class, size and cost of every building or structure erected in the city during his term of office, for which permits were issued, and shall report the same to the mayor annually; he shall also file a monthly report made under oath to the mayor on or before the tenth of each month for the month preceding, of the number of permits issue[d], money received, and cost of structures erected in said city of the first class of the first grade. He shall also report annually on [the] 1st day of May to the county auditor every new building erected, with a pertinent description thereof, name and number of street, where located, and all improvements made upon old buildings in every such city.

Record of permits.

Annual and monthly reports to mayor.

Annual report to county auditor.

Duties of inspector.

SECTION 4. It shall be the duty of the inspector appointed under the provision of this act to inspect any building or structure which may be in the course of construction or alteration, within the limits of said city, and to see that each building or structure is being constructed or altered according to the provisions of this act and all acts and ordinances in force in said city; if the said inspector is served with a written notice by the owner, contractor or contractors of any building or structure to inspect said building in progress of construction or alteration, he or his deputies shall do so. And if said inspector or his deputies shall fail or neglect to attend within twenty-four hours after such written notice has been served upon him for that purpose, he shall forfeit and pay the sum of twenty dollars for each and every day he shall so fail or neglect to attend beyond twenty-four hours, which penalty shall be recoverable by action at law in the name of said city for the use of the owners or contractors of said building.

Notice to inspect.

Penalty for neglect to inspect when notified.

Applications for building permits.

SECTION 5. When any person or persons or corporation shall be desirous of erecting, repairing, changing or altering any building or structure within the limits of said city, he or they shall make application at the office of the inspector for a permit for that purpose, and shall furnish said inspector with a written statement of the location and the intended use of the proposed building or structure, together with the plans and specifications of the same, which shall be delivered to the said inspector, and remain in his custody a sufficient length of time to allow the necessary examination to be made of the

same, and shall have access to the same at any time; after which, if it shall appear to the said inspector, that the laws and ordinances of said city are complied with, he shall give the permit asked for, upon the payment of the following prescribed fees: The sum of one dollar for the permit, and an additional sum of one cent for each and every 100 cubic feet of contents of said buildings or structures; and for additions to buildings or structures, and for alterations to old buildings or structures, the cost of which is $1,000.00 or over, the sum of $2.00 per $1,000.00, or fractional part thereof to be charged in addition to the sum of $1.00 for the permit. For alterations to old buildings or structures, the cost of which is less than $1,000.00 the sum of $1.00 for the permit only will be charged. And [for] all buildings of the nature of sheds [there shall] be charged one dollar for the permit and an additional sum of one-half cent for each and every hundred cubic feet of contents of said shed.

Fees for granting building permits.

Inspector to furnish blank forms.

SECTION 6. Blank forms for the detailed statement as herein required may be obtained at the office of the inspector, which the applicants shall fill out; and the owner or owners, his or their agents, shall sign the agreement contained in said statement, that he or they will in all respects construct the work in compliance with the provisions of this act, and the ordinances of said city; and it shall not be lawful to proceed to construct, alter or repair any building or structure within the limits of said city without such permit. Every permit issued by the inspector shall be subject to revocation should the inspector become convinced that the work done under said permit is proceeding in violation of law. Revocation of a permit shall be in writing, and shall be served on the owner, superintendent or contractor in charge of the work, or posted on the property; and from and after such revocation of permit, all contractors performing any work in or about said structure, buildings or premises shall be guilty of a misdemeanor within the terms of this act, and subject to fine or imprisonment as herein provided.

Building agreements.

Revocation of permits.

Penalty for work on building after revocation.

SECTION 7. That any person, firm or corporation, either as owner, contractor or architect, or any agent, trustee, director, officer, or employe of any person, firm or corporation, who violates or authorizes a violation of any provision of this act, shall be guilty of a misdemeanor, and be subject to a fine not exceeding the sum of one thousand dollars, or an imprisonment not exceeding three months, or both, in the discretion of the court or judge imposing same.

Penalty for violation of provisions of this act.

SECTION 8. In this act the following terms shall have the meanings respectively assigned to them:

Meaning of certain terms in this act defined.

(*a*) "Public buildings" means every building used as a church or other place of public worship; also every building used as a college, school, public hall, hospital, theater, public concert-room, public ball-room, public lecture-room, or for any public assemblage.

(*b*) Buildings of the "warehouse class" shall comprise

buildings used for the storage of merchandise, manufactories in which machinery is operated, breweries and distilleries.

(*c*) Buildings of the "dwelling-house class" shall comprise all buildings, except public buildings, and buildings of "warehouse class."

(*d*) Inspector means the "inspector of buildings" appointed under provisions of this act.

(*e*) "External wall" means every outer wall or vertical enclosure of any building, not being a party wall.

(*f*) "Party wall" means a wall that separates two or more buildings, and used or to be used jointly by said separate buildings.

(*g*) "Division wall" means a wall that separates one part of any building from another part of the same building.

(*h*) The base of a brick wall means the course immediately above the foundation wall.

(*i*) Footing course means a projecting course or courses under the base of a foundation wall.

Establishment or extension of fire limits.

SECTION 9. The said city may, by ordinance, establish or extend fire limits; and if said city shall have squares blocked for fire protection, the same shall be considered to mean "fire limits" under this act.

Buildings within fire limits.

SECTION 10. All buildings hereafter erected within the "fire limits" of said city shall be enclosed with walls constructed of brick, stone, or any other hard incombustible substances, and the foundation shall rest upon solid ground, concrete, or other solid and sufficient substructure.

Buildings exempt from provisions of sec. 10.

SECTION 11. The following buildings and erections are exempt from the provisions of the preceding section: buildings used for domestic purposes not exceeding twelve feet in height; sheds the extreme height of which do[es] not exceed 15 feet, built on wharves, to be used for any lawful purpose; temporary sheds of the same height to facilitate the building of authorized buildings; elevators of any height for the storage of coal or grain. All external parts of said elevators shall be covered with incombustible material, and materials used and the mode of construction shall be approved by the inspector. Green-houses, so far as regards the necessary woodwork of doors, frames and sash, all privies not more than ten feet square and ten feet high, bridges, quays and wharves.

Alterations in or additions to buildings; repairs.

SECTION 12. Any work of alteration or addition made for any purpose into or upon any building shall, to the extent of such work or alteration be subject to the regulations of this act. The said inspector may, however, issue a permit without charge for the repairs necessary for the maintenance of the building.

Rebuilding regarded as new building, when.

SECTION 13. Whenever any old building shall be torn down, or burned to the extent exceeding one-half of such building (such half to be measured in cubic feet), the rebuilding thereof shall be termed the erection of a new building, and every portion of such old building that is not in conformity with the regulations and provisions of this act shall be forthwith taken down.

Rules governing thickness of external and party walls.

SECTION 14. The external and party walls shall be made throughout the different stories of the thicknesses shown in the following tables, arranged according to the heights and length of the walls up to one hundred feet in height.

(*a*) The thickness of every wall as herein determined shall be the minimum thickness.

(*b*) The height of every topmost story shall be measured from the level of its floor up to the underside of the tie of the roof; or up to the vertical height of the rafters when the roof has no tie; and the height of every story shall be the clear height of such story exclusive of the thickness of the floor.

(*c*) The height of every external and party wall shall be measured from the base of the wall to the level of the top of the topmost story.

(*d*) Walls are deemed to be divided into distinct lengths by return walls, and the length of every wall is measured from the center of one return wall to the center of another; provided, that such return walls are external, or party cross walls of the thickness herein required, and bonded into the walls so deemed to be divided.

(*e*) Division walls shall not be less than two-thirds the thickness of the party or external walls of the same heights and lengths, but never less than 9 inches thick, except when used as partition walls and are not bearing walls, and not more than 12 feet high.

(*f*) No wall sub-dividing any building shall be deemed a return wall as before mentioned in this act, unless it is two-thirds the height of the external or party walls.

(*g*) If the recesses or openings in party, external or division walls, the same being bearing walls, exceed one-half the entire area of the wall in the story in which they are made, the thickness of said walls shall be 4½ inches greater than set forth in the tables.

(*h*) Recesses and chases may be made in walls; provided that in party and external walls, backs of recesses and chases shall not be less than 9 inches thick, and in division walls not less than 4½ inches thick; chases shall be so spaced as not to unduly weaken the wall.

(*i*) If the center of any external or party wall is not more than twenty-five feet distant from the center of any other external or party wall to which it is tied by the beams of any floor or floors other than the ground floor, or the floor of any story formed in the roof, the length of such wall is not to be taken into consideration, and the thickness of the wall will be found in the column marked A, in the following tables.

(*k*) If any story exceeds in height sixteen times the thickness prescribed for the walls of such story in the following tables, the thickness of each external and party wall throughout such story shall be increased to one-sixteenth part of the height of the story; but any such additional thickness may be confined to piers properly distributed, of which the collective widths shall amount to one-fourth part of the length of the wall.

(*l*) No story enclosed with wall less than thirteen inches in thickness shall be more than eleven feet in height.

(*m*) Every wall constructed of brick, stone or other incombustible substances shall be solidly put together with lime or cement mortar and properly bounded [bonded?]

TABLE No. 1.—N.—Dwelling-House Class.

Dwelling-house class.

Height up to—	26 feet.		36 feet.	48 feet.		60 feet.		72 feet.		84 feet.		100 feet.	
Length up to—	37 feet.	Unlimited.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.
One story	From base to top of wall, 9 inches.				17 in.	17 in.					21 in.	21 in.	
Two stories							17 in.	17 in.					21 in.
Three stories									17 in.	17 in.	17 in.		
Four stories												17 in.	17 in.
Topmost story		9 in.	9 in.	9 in.	9 in.	9 in.	9 in.	9 in.	9 in.	9 in.	9 in.	13 in.	13 in.
Wall below		13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.
Topmost st'ry													
Remainder		9 in.	9 in.	9 in.	9 in.	9 in.	9 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.

Warehouse class.

TABLE No. 2.—O.—WAREHOUSE CLASS.

Height up to—	36 feet.		48 feet.		60 feet.		72 feet.		84 feet.		100 feet.	
Length up to—	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.	50 feet.	Unlimited.
	From base to top of wall, 13 inches.											
Topmost story	A 9 in.	Unlimited.	A 9 in.	Unlimited.	A	Unlimited.	A	Unlimited.	A	Unlimited.		13 in.
Two topmost stories						13 in.		13 in.	13 in.	13 in.	13 in.	13 in.
Three topmost stories					13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.
First story				17 in.								
Two stories												21 in.
Four stories									17 in.	17 in.	17 in.	17 in.
Remainder	13 in.		13 in.	13 in.	17 in.	17 in.	17 in.	17 in.	21 in.	21 in.	21 in.	26 in.

Erection or alteration of external walls near traveled street.

SECTION 15. Whenever any person, or persons, or corporation shall be about to erect or alter the external walls of a building within five feet of the line of a traveled street, said person, persons or corporation shall cause the portion of said site of said building bordering on said street to be enclosed by a fence not less than six feet high and at least seven feet from the line of such building, and if such fence shall prevent passage on the sidewalk, shall lay and maintain a plank sidewalk around the same not less than thirty-six inches wide, and said fence shall be made as much higher, and the walk as much wider, and they both shall be constructed in such manner as the inspector shall direct; said person, persons or corporation shall take such precautionary measures in lieu of the above as the inspector may direct.

Liability for damages to adjoining property for excavations below standard depth; what constitutes such depth.

SECTION 16. If the owner or possessor of any lot or land, digs or cause to be dug, any cellar, pit, vault, or excavation to a greater depth than twelve feet below the curb of the street on which such land or lot abuts, or, if there be no curb, below the surface of such adjoining lots, and by such excavation causes any danger [damage?] to any wall, house or any other building upon the lots adjoining thereto, such owners or possessors shall be liable, in a civil action to the party injured, to the full amount to [of?] the damage aforesaid. Such owner or possessor may dig, or cause to be dug, any such cellar, pit or excavation to the full depth or [of?] any foundation wall of any building upon the adjoining lots or to the full depth of twelve feet below the established grade of the street whereon such lot abuts, without reference to the adjoining foundation walls, without incurring the liability prescribed in this chapter.

Foundation walls and their footings.

SECTION 17. Proper foundation walls or piers and their footings of masonry or other suitable material, shall be provided for the support of buildings. All foundation walls shall be at least four inches thicker than the base of the wall of the story next above them. The bottom of foundation or footings of external walls or piers shall be at least four feet below the ground surface exposed to frost.

Excavations under sidewalk to be walled and covered, how.

SECTION 18. Any person desirous of utilizing the space under the sidewalk in front of any building owned by him, shall construct a sufficient wall of masonry to retain the roadway of the street, and shall extend the side, division and party walls of such building under the sidewalk to such curb wall. No plain surface of glass or iron greater than 3 inches in diameter shall be placed in any sidewalk.

Backing of exterior walls over three stories high faced with stone.

SECTION 19. In all buildings over three stories high, walls faced with stone shall have backing of the thickness specified for walls where no facing is used, unless the stone facing is laid in alternate courses of different thicknesses, so as to bond on to the backing at least 4 inches every two feet in height, when the backing may be 4 inches less in thickness. Walls not carried out [up?] together must be anchored every 6 feet in their height by good and sufficient wrought iron anchors 36 inches long, ends to be turned up 2½ inches. Cut stone work must be properly cramped and anchored together and to backing. Pressed brick-work to be properly bounded [bonded?] to backing.

Walls not carried up together; cut stone work, pressed brick work.

External and party walls above ground floor, to be anchored how.

SECTION 20. External and party walls above the ground floor shall be securely anchored, at least every 8 feet to each tier of joists with wrought-iron hooked end anchors, provided with proper T, or other iron heads. Where joists are supported by girders, the anchorage must be made continuous by "dog-anchors" of proper proportions, or other approved system. Anchors parallel with joists to be not less than 2 feet long; anchors at right angles to joists not less than 5 feet long.

Chimney walls and linings.

SECTION 21. (*a*) No chimney or smoke flue shall be built with less than 4½ inches inclosing and division walls, and shall be lined with terra cotta fire-clay linings or plaster on the inside, and on the outside where passing between timbers. Chimneys where there are not flues shall be built solid.

Fire places.

(*b*) In the construction of fire places, no jamb or back shall be less than 9 inches thick, and a brick arch of [or ?] sufficient bar of iron shall be provided over the opening to support the breast.

Hearths.

(*c*) Hearths of open fire places shall be of stone or other incombustible substance, and shall rest on brick trimmer arches or other fire-proof material, which arches or other material shall be not less than 18 inches wide in front of the breast.

Chimney-tops; chimney anchors.

(*d*) Chimney-tops shall be at least 4 feet above the roof, and any chimney carried to a height above the roof more than six times its thickness, shall be properly anchored or otherwise made secure.

Chimneys forming and not forming part of wall.

(*e*) Chimneys forming part of a wall shall not be corbelled out beyond the face of the wall more than two-thirds of the thickness of the wall (without the permission of the inspector as to method and extent of such corbelling). Every chimney not forming part of a wall shall rest upon the ground, or other sufficient fire-proof foundation.

Walls and tops of large flues.

(*f*) Flues larger than 250 square inches and less than 500 square inches, shall be surrounded with walls not less than 8 inches thick; and the walls of such flues, above the inlet funnel shall be 12 inches thick for the first 15 feet around and above such inlet; tops of such chimneys to be at least eight feet above the roof, or five feet above the highest part of the roof within fifty feet of such chimney. Flues with more than 500 and less than 800 inches area, shall have not less than sixteen inch walls opposite the inlet, and ten feet above the same, and not less than twelve-inch walls for the next thirty-six feet; top of chimney ten feet above the roof, or seven feet above the highest part of the roof within fifty feet of such chimney.

Placing of timbers in walls and masonry.

SECTION 22. In no building shall any timber or woodwork be placed within six inches of any smoke flue, or within two inches of the face of the wall enclosing a flue (unless the face of the wall is plastered). Timbers in "party-walls shall be separated from each other by solid masonry not less than 4½ inches thick. Joists built into walls of masonry shall be beveled at an angle of 45 degrees from the junction of the wall and the upper edge of the joists. Every trimmer over six feet long in floors constructed to carry more than 70 pounds per square foot of surface shall be hung in suitable stirrup iron of wrought iron. All timbers shall have sufficient bearing on their supports to insure stability. In all buildings where the joists are carried on girders, a cut off partition or row of solid bridging not less than 1½ inches thick shall be set in and solidly nailed over the girder so as to fill spaces between joists and prevent the passage of fire and smoke.

Scuttles and bulkheads.

SECTION 23. Buildings of the "warehouse" class over one story high, and in other buildings where required by the inspector, shall have in the roof scuttle frames and covers, or bulk heads and doors not less than 2 feet by 3 feet 6 inches, made of or covered with fire-proof material, and such scuttles and bulkheads shall have iron ladders or iron stairs securely bolted to floors and frames; such scuttles, bulkheads and stairs shall be ready for use at all times. The doors in such scuttles or bulkheads shall not be locked but must be fastened by movable bolts or hooks. Skylights on roofs shall be protected with a sufficient guard railing when so required by the inspector.

Iron stairs to bulkheads.

Skylights.

Roofing.

SECTION 24. Weather coverings of roofs within the fire-limits shall be made of incombustible material. Appendages such as skylights, dormer windows, cornices, gutters, moldings, eaves, parapets, balconies, bay windows, towers, spires, ventilators, erections over elevators, turret, lantern-light or other erections on roofs, if not wholly fire-proof shall be enveloped with incombustible material.

Appendages.

Division walls between wooden buildings.

SECTION 25. In the erection of wooden buildings in blocks of two or more, the said buildings shall have division or party walls of incombustible material, said walls to extend up to the under side of roof boards.

Metallic fall pipes and their connections.

SECTION 26. Buildings shall be provided with proper metallic "fall-pipes" which shall be connected with a sewer or catch basin connected with a sewer when such building abuts upon an alley or street in which a public sewer is located, otherwise the water shall be carried to the street gutter in a manner approved by the inspector.

Stairway partitions.

Scantling partitions.

SECTION 27. Stairways shall not be enclosed with partitions made of planks, boards, flooring, or scantling, unless plastered on both sides or covered with metal (except in private residences). Scantling partitions shall not be employed as supporters of any floor or roof (except in private residences).

Fire-proof doors, shutters, etc., required on certain buildings.

SECTION 28. Openings in walls of buildings over two stories high, in the warehouse class, and located opposite any other building having openings and not more than thirty feet distant shall be provided with doors, blinds or shutters, made of or covered with fire-proof material. The doors or shutters shall be hung on cast iron eyes or frames. Prismatic lights in iron frames shall be equivalent for fire-proof shutters. Every opening in "party wall" shall be closed by two such fire-proof doors as above described, hung to cast iron eyes or frames on the opposite sides of the jambs of the opening.

Heating apparatus.

SECTION 29. (*a*) Stationary boilers, heating furnaces of all kinds, also every oven or stove used for heating or manufacturing purposes shall be placed on fire-proof foundations and provided with proper hearths, and the floor space around the same shall be covered with incombustible and non-conducting substances.

(*b*) No unprotected structural wood-work, or other combustible material shall be located within four feet of any part of a stationary boiler, or within 20 inches of any stove, oven, or heating furnace below [before?] mentioned.

(*c*) No pipes conveying heated air or steam shall be placed nearer than six inches to any unprotected combustible material.

(*d*) Hot air conductors built in between timbers or other combustible material within ten inches of the same, shall be made double with at least ½ inch space between the two envelopes.

(*e*) Hot air registers shall be set in incombustible borders, and openings in floors for registers shall be lined with metal.

(*f*) All the foregoing provisions of this section shall be subject to the approval of the inspector.

Vats of hot liquids, etc.

SECTION 30. In every factory or workshop all machinery and appliances connected therewith, also every vat, pan or other structure with molten metal or hot liquids, shall be constructed in such manner and so guarded as to protect those employed in their operation and use, or about them.

Elevators.

SECTION 31. Elevators located and operated in the well-holes of stairways, shall together with the stairs and the landing thereof, be constructed of fire-proof material. All elevators so required in the judgment of the inspector shall be enclosed with walls of incombustible material, or with substantial stud partitions covered with metal lathing and three coats of plastering on each side, and said walls or partitions shall be carried through the roof. All elevator openings through floors shall be protected by proper rails or gates, or the openings in floors through which the elevator passes shall be closed with trap-doors, covered on the under side with metal. The roof over every elevator within a shaft as above provided, shall be formed with a sky-light of sheet glass, of at least one-half the area of the shaft.

Fire escapes.

SECTION 32. All buildings except such as are used for private residences exclusively, in said city of the first-class, first grade, of three or more stories in height, shall be provided with one or more suitable fire-escapes, extending from the first story to the upper stories of such building, and above the roof and on the outer walls thereof, in such location and numbers, and of such material and construction as the inspector may determine; provided, that in said city of the first-class, first grade, having a "fire escape and smoke inspector," designated or appointed by the mayor of said city, the said inspector shall perform all the duties and be vested with all the power imposed upon the inspector of buildings by this and the two following sections. After such determination by the said inspector, he may at any time, by a notice served upon the owner, lessee or occupant of any such building, by leaving with such owner, lessee or occupant or at his or their residence or place of business, a copy of such notice, require such owner, lessee or occupant, or either of them, to cause such metallic fire-escape to be placed upon

Power and duties of fire escape and smoke inspector.

Notice to erect fire escapes.

such building within thirty days after the service of such notice; provided, however, that all buildings more than two stories high, used for manufacturing purposes, shall have one suitable fire escape for every twenty-five persons or less employed above the second story, or a fire-proof stairway. In case the lessee, owner or occupant, or either of them, so served with notice as aforesaid, shall not within thirty days after the service of such notice upon him or them, place or cause to be placed, such suitable fire-escape upon such building as required by this article and the terms of such notice, he or they shall be subject to a fine of not less than $10.00 nor more than $100.00, and to a further fine of $50.00 for each week of such neglect to comply with such notice after the service of the same.

Penalty for failure to erect same.

SECTION 33. No buildings within the limits of said city of the first-class shall be used or occupied, in whole or in part, for any of the trades or occupations hereinafter mentioned, to-wit: planing-mill, sash, door and blind factories, wagon or carriage manufactories, cabinet and furniture manufactories, wood-turning and veneering works, agricultural implement manufactories, box or shingle factories, or any other wood-working factory, two or more stories in height, unless such building so occupied shall have in connection with it a brick or fire-proof vault of sufficient capacity to contain all shavings, saw-dust, chips, or other light combustible refuse connected therewith; all such shavings and other light combustible refuse or material shall be removed daily from such premises to such vault.

Fire proof vaults for wood-working factories.

SECTION 34. No person shall hereafter, either as owner, lessee or agent, use or occupy, or permit the use and occupation of any store, factory, work-shop or other structure, where any person or persons shall be employed as workmen or workwomen, for wages, in any trade or occupation, unless every such store, factory, workshop or other structure shall be provided with sufficient fire-proof doors and stairways for the escape of employes in the event of fire or other accident happening, under the penalty of not less than $25.00 for each and every offense, and a further penalty of $50.00 for each and every day each owner, lessee or agent shall, after the first conviction, neglect or refuse to comply with any provisions in this section.

Penalty for using, etc., certain buildings lacking fire-proof doors and stairways.

SECTION 35. No wooden building within or without the fire-limits shall be moved to any lot within said limits where it would be in violation of law to build such wooden building.

Removal of wooden buildings.

SECTION 36. No person, except a licensed house-mover, shall remove or raise any building within the limits of said city of the first class, first grade; and every such person shall annually, before engaging in such occupation, obtain a license therefor from the mayor, and no such license shall be granted until the party applying therefor shall have given a bond in the sum of one thousand dollars, with good and sufficient sureties, to be approved by the city solicitor, conditional

Licensing of house-movers.

Bond.

among other things, that said party will pay any and all damages which may happen to any tree, pavement, street or sidewalk, or to any telegraph pole or wire belonging to said city, whether said damage or injury shall be inflicted by said party or his agents, employes or workmen; and conditioned, also, that said party shall, will save and indemnify, and keep harmless said city against all liabilities, judgments, damages, costs and expenses which may in anywise accrue against said city in consequence of the granting of such permit or license, and will in all things strictly comply with the conditions of his permit.

Removal permits.

SECTION 37. Upon execution of said bond and its acceptance by the city solicitor, a license shall be issued, and the said licensed person shall, in each and every instance, before removing or raising any building, obtain a permit so to do from the inspector, and shall pay to said inspector a fee of two dollars, whereupon said inspector shall issue a permit stating specifically all the conditions, prescribing the route to be taken, and limiting the time of removal.

Inspector's fee.

Theaters, etc.

SECTION 38. Every theater, opera house, concert hall, or building to be used for public entertainments (except churches), hereafter erected, altered or changed, shall have at least one front on the highway or public street, and in front there shall be suitable means of entrance and exit for the audience; an open space shall be reserved for the use of the audience in leaving the building, and for service in the event of fire, to be on two or three sides of the portion of the structure in which the auditorium and stage are placed. No portion of any building hereafter erected, altered, changed, or used, or to be used for any of the above purposes, shall be occupied or used for offices, a hotel, boarding or lodging house, factory, or for storage purposes, unless the same is completely isolated by brick walls, which shall pass through and above the roof at least two (2) feet; and no workshop or storage room for theatrical purposes shall be allowed above the auditorium. If the carpenter shops and property rooms for the storage of furniture and other accessories be provided for on the premises, they shall be separated from the other portions of the theater by means of fire-proof partitions and ceilings; and the painted scenery and other decorations, when not in use, shall be stored in a contiguous store room, but they shall be enclosed with fire-proof partitions, ceilings and floors; and no place in the building shall be used for the storage or sale of any article classified by insurance companies as hazardous or extra hazardous material. All ventilating shafts from the ceiling line shall be of fire-proof material, and shall pass at least four (4) feet above the roof. The roof over the stage shall have skylights or lanterns equal in area to at least one-tenth of said roof, and the whole shall be so arranged as to open instantly on the cutting or burning of a hempen cord, which shall be so arranged to hold said skylight closed, or some other device in the judgment of the inspector may be used if equally as simple.

Theaters, etc.

All seats in the auditorium except those contained in the boxes shall be firmly secured to the floors, and no seat in the auditorium shall have more than six (6) seats intervening between it and the aisle, and no obstruction shall be placed in any aisle or passage way. All aisles and passage ways in the auditorium shall be in proportion to the seating capacity. All door ways, passages, corridors, stairways shall be in proper proportion to the capacity of the house and the several parts of the same to which they lead and with which they communicate. Every auditorium accommodating three hundred persons, shall have not less than two exits; when accommodating five hundred persons, not less than three exits shall be provided; and no doorway of exit or entrance for the use of the public shall be less than six feet in width; and for every one hundred persons additional or portions thereof, to be accommodated in excess of five hundred persons, twenty inches additional exit capacity shall be allowed; all doors of exit or entrance shall open outwardly and no such doors of exit or entrance shall be locked during any representation, or when the building is open to the public. Distinct and separate places of exit and entrance shall be provided for each gallery above the first floor. A common place of exit may serve for the main floor of the auditorium and the first gallery, the latter to be provided with two independent staircases. Not less than two independent staircases with direct exterior outlets shall be provided for galleries above the first gallery, and shall be located on the opposite sides of the same, and the latter staircases shall be enclosed up to the floor to which they lead. When straight stairs return directly upon themselves a landing of the full width of both flights and of the depth of not less than once and a half the length of the steps shall be provided; stairs turning at an angle must have a proper landing without risers at the turn. In stairs where two side flights connect with one main flight, the width of the main flight must be equal to the aggregate width of the side flights. The ceilings of the auditorium and of the corridors, passages, lobbies and staircases shall be lathed with iron or wire laths, or fire-proof tiling, and finished with three good coats of mortar, or other incombustible material.

All inclosed staircases, shall have on both sides a strong handrail, firmly secured to walls. No passage leading to any stairs or exit shall be less than the width of the stairs with which they communicate. The wall separating the stage from the auditorium, also the several division walls separating the auditorium from the vestibule or other apartments devoted to the use of the public, shall be constructed of brick or other fire-proof material. The wall between the stage and the auditorium shall be carried through and above the roof at least 24 inches, and door-ways in said wall shall not exceed 21 superficial feet each, and shall have doors covered on the stage side with sheet metal; said doors shall be self-closing. Partitions enclosing and separating dressing rooms, and the ceilings of same, shall be covered with three coats of

plaster or metal lathing, or shall be constructed with corrugated sheet iron or other fire-proof material. The proscenium, or curtain opening of every theatre shall have a curtain of fire resisting material. Such curtain shall be lowered at the beginning and end of each performance.

Theatrical scenery.

SECTION 38. All scenery shall be constructed of fire resisting material; said curtain and scenery shall, in their material, construction, and mechanism be approved by the inspector.

Gas mains.

Gas-mains supplying any of the above named places shall have connections independent of the stage and auditorium, and proper provisions shall be made for cutting or shutting off the gas from the outside, contiguous to the premises.

Stage lights.

All stage lights shall have strong metal wire guards or screens of sufficient fineness, that materials coming in contact therewith shall not be in danger of the flames.

Exits.

Every exit shall have over the same, on the inside, the word "exit" painted in large letters not less than eight inches in length.

Means of exit and entrance to churches.

SECTION 39. Any building, hall, or room hereafter erected and used for church purposes, seating 300 persons or over, shall have not less than two means of exit and entrance, with direct outdoor connections to same. All exit doors shall open outward. Stairways, lobbies, and doors shall be in proper proportion to the capacity of the church.

Stand pipes and water plugs required in certain buildings.

SECTION 40. Every building used for purposes of public entertainment, mentioned in the preceding section, shall have at least one stand-pipe and water-plug connected with the water pipes of the city, placed on the stage or platform in its immediate vicinity. The same shall be put in, under the direction and to the satisfaction of the fire marshal of said city, and hose with nozzle and stopcock shall be attached to such stand-pipe, and said hose shall be of sufficient length to extend to the farthest limit of such building, and shall be kept in good order and ready for use at all times. Every such building with accommodation for one thousand or more persons, also every building more than 80 feet high, covering an area of more than five thousand superficial feet shall have a proper $2\frac{1}{2}$-inch metallic stand-pipe on the outside of the building accessible from street or alley, extending above the roof and so arranged that a fire engine hose can be attached. All hose an[d] coupling[s] shall conform to the size and pattern adopted by the fire department.

Cellars used for dwelling purposes.

SECTION 41. Every cellar or any portion thereof occupied for dwelling purposes, shall be at least 8 feet in height from floor to ceiling in every part thereof, and not less than 4 feet of the height shall be above the surface of the ground adjoining or nearest thereto; there shall also be an area provided across the entire frontage of same not less than 3 feet wide in every part, and said area shall begin six inches below the level of the floor of said cellar, and extend up to the surface of the ground. Every such cellar shall be properly drained, and be provided with a flue or open fireplace with flue; and each apartment of such cellar shall have a window not less than nine square feet, clear opening of frame pro-

vided with movable sash. Steps required as access to such cellar shall not cover said window, either in whole or in part.

Height of habitable rooms.

SECTION 42. Every habitable room hereafter constructed, except in the roof, shall be at least 7 feet high in the clear in every part of the same; and habitable rooms constructed in the roof of any building, shall be at least 7 feet high in clear for a space of one-half of the area of such room.

Space required between front and rear of tenement houses, lodging houses and hotels, and other buildings.

SECTION 43. Every house designated to be used in whole or in part as a "tenement-house," "lodging" house or hotel, shall have a clear open space between the front and rear of such building, and any other building, proportioned to the height of such building as follows: Betweening [between?] buildings one story high, a space 10 feet wide; two stories high, a space 15 feet wide; three stories high, a space 20 feet wide; buildings more than three stories high, a space 25 feet wide; and in every case the length of this space shall not be less than three-quarters the distance of the width of the buildings.

Communication between sleeping rooms in such houses and the external air.

SECTION 44. Every room in such building used as a sleeping-room which does not communicate directly with the external air shall have a movable window or transom-sash not less than three feet square, which shall open into an adjoining apartment which has direct communication with the external air.

Light and air shafts for habitable rooms.

SECTION 45. Light and air shafts for habitable rooms shall be at least twelve square feet in area for three story houses and less; sixteen square feet in area for a four story house, and twenty square feet in area for a five story house, and never less than 3 feet wide in the clear. Shafts common to two houses shall be double the above areas.

Substitutes for water-closets.

SECTION 46. The construction and use of an earth-closet, dessicating-closet, or any contrivance for the reception and deodorization of fœcal matter, as a substitute for a water-closet, is permitted, subject to the approval of the inspector as to location and construction of same.

Licensing of plumbers and sewer tappers.

SECTION 47. No person or persons shall carry on the business of plumbing, sewer tapper or engage in conducting plumbing or house-drainage, until he or they shall obtain a license either as such plumber or sewer tapper from the "board of public affairs;" and no person shall receive such license who shall not have an established place of business within the limits of said city of the first class, first grade, and who shall not furnish the "board of public affairs" satisfactory evidence of his responsibility and skill to apply his trade in accordance with the provisions of this act, rules and regulations of the "board of public affairs," the "board of health," and ordinances of said city. And it shall be the further duty of every person or persons making an application for a license to carry on the business of plumbing or sewer tapping to accompany his or their application with a bond, signed by two or more sureties, to be approved by the "board of public affairs," in the sum of five hundred dollars ($500), conditioned that he or they will indemnify and save

Bond required.

harmless said city of the first class from all accident and damage caused by negligence either in the execution or protection of his work, or for any unfaithfulness or inadequate work done under and by virtue of his license; and that said licensee as such, will also conform to all the conditions and requirements of the city for his or their government, or in default thereof, will submit to such penalties as are or may be prescribed by the "board of public affairs," the "board of health," or the ordinances of said city. The "inspector of buildings" shall have authority and power, whenever in his opinion any plumber or sewer tapper in doing any plumbing or house drainage or sewer tapping, violates any provisions of this act, rule or regulation of the "board of public affairs," the "board of health," or the ordinances of said city, to suspend said license; and it shall be the duty of said officer making such order or [of?] suspension to report the same to the "board of public affairs;" and if the said board shall be of the opinion that the charges are well-founded, they shall revoke said license.

Suspension of license.

Revocation thereof.

Plans of certain pipes to be furnished and approved.

SECTION 48. It shall be the duty of the owner, architect or other duly authorized person, to furnish a plan which shall show the whole course of said pipe from its connection with the house-drain to its termination above the roof of the house, and all branches, traps and fixtures to be connected therewith, which plan must be approved by the inspector before any portion of the work shall be executed; and every plumber or sewer tapper before doing any of the work in a building, shall, except in case of repair, receive a certificate from the inspector that the plans and specification prepared by the architect or owner for such work has [have?] been accepted by the inspector. Plumbing work which does not add additional fixtures or cause the entire renewing or remodeling of any soil or waste-pipes, or changing of the system of using such pipes shall be considered a repair.

Certificate of acceptance of plans, etc.

Repairs.

Drainage; sewer connections; water closets; catch basin water closets.

SECTION 49. Every building shall be separately connected with the public sewer, when such sewer is provided; and if such sewer is not provided, all water-closets are to drain into a ventilated cesspool built of hard brick or stone, to be approved by the inspector. Catch basin water-closets complying with the following conditions may be used: They must be constructed water-tight, and have a proper supply of water to allow them to be flushed out clean to the bottom; they must also be constructed so that the contents shall not pass into the sewer without a sufficient supply of water passing into the sewer at the same time. The roof, surface and waste-water from the house may be used for flushing these closets. These catch basin water-closets may be constructed and the connections to sewer and house drainage may be laid by any sewer tapper licensed by the "board of public affairs."

House drainage: waste and soil pipes.

SECTION 50. Main waste-pipe and soil-pipes through which the water and sewerage are conducted shall be of cast or wrought-iron when within a building, and shall be securely

ironed to walls or suspended to floor timbers by strong iron hangers as inspector may direct. Waste and soil-pipes shall be ventilated through the roof, open and undiminished in size, to such a height as may be directed by the inspector; but no soil or waste-pipe vent, shall be carried to a height less than two feet above the roof; changes in directions shall be made with curved pipes, and connections with horizontal pipes shall be made with "Y" branches. Where the soil consists of a natural bed of loam, sand or rock, the drain inside of house may be of hard, glazed, cylindrical stoneware pipes laid on a smooth bottom with well cemented joints. Where the ground is made or filled in, the house-drain inside of house must be of extra heavy cast-iron, free from defects, with the joints properly caulked with lead. Drains shall have a fall of not less than one-eighth of an inch per foot, and shall be supplied with a suitable trap, placed, with an accessible clean-out, either outside or inside the foundation wall of the building. Each house-drain shall be provided with a fresh air inlet, not less than 4-inch diameter on the house side of the trap, extending to the external air in such locality as will not be detrimental to the inmates of the house in the judgment of the inspector. Rain water leaders, when connected with sewer or drain-pipes, shall be suitably trapped.

Fall; traps; clean outs; air inlets.

Trapping of rain-water leaders.

SECTION 51. Smoke-flues shall not be used to ventilate sewer, soil or waste-pipes Ventilating pipes shall be constructed of the same material as the main waste and soil pipes.

Ventilation of such pipes.

SECTION 52. Iron pipes, before being put in place, shall be coated inside and outside with coal tar or pitch, applied hot, or other suitable materials; joints shall be run with molten lead, and thoroughly caulked and made tight; connection of lead with iron pipes shall be made with brass ferrules, properly soldered and caulked to the iron; soil, waste and air-pipes shall be subjected to the water pressure test.

Requirements in iron pipes; certain pipes to be tested by water-pressure.

SECTION 53. Every sink, basin, bath-tub, water-closet, slop-hopper, and each set of trays, and every fixture having a waste-pipe, shall be furnished with a trap, which shall be placed as near as practicable to the fixture that it serves; traps shall be protected from syphonage or air pressure by special air pipes of a size not less than the trap; but air pipes connected with water-closet traps shall not be less than 2-inch bore, and in every case of proper proportion for their purposes, as may be approved by the inspector. They may be branched into the soil or waste-pipe vent, not less than three feet above the inlet from the highest fixture. No trap vent shall be used as a waste or soil-pipe. Where a single fixture is put in, and discharges, by means of waste-pipes, into an open drain, a trap will be necessary, but no vent; but said waste-pipe shall not exceed fifteen feet in length unless approved by the inspector.

Traps, pipes and vents for bath-tubs, water-closets, etc.

Overflow pipes and waste-pipes from refrigerators.

SECTION 54. Drip or overflow pipes from safes under water-closets, and other fixtures, or from tanks or cisterns, shall be run to some place in open sight, and in no case shall any such pipe be connected directly with a drain, waste-pipe, or soil-pipe. Waste-pipes from refrigerators or other receptacles in which provisions are stored shall not be connected with a drain, soil-pipe, or waste-pipe.

Water supply for water-closets; flushing pipes.

SECTION 55. Every water-closet shall be supplied with water from a tank or cistern, and the flushing pipe shall not be less than one and one-eighth inch bore. Water-closets under special circumstances may be arranged so as to receive their supply directly from the main, with such fixtures as shall be approved by the inspector.

Inspection of pipes, etc.; test of plumbing work.

SECTION 56. Pipes and other fixtures shall not be covered from view or concealed until after the work has been examined by said inspector, and he shall be notified by the plumber or sewer tapper when the work is sufficiently advanced for inspection. Plumbing work shall not be used unless the same has first been tested in the presence of the inspector and by him found satisfactory. No steam exhaust shall be connected directly with any soil or waste-pipe, or drain which communicates with a public sewer. A grease trap shall be constructed under the sink of every hotel, eating-house, restaurant, or other cooking establishment.

Steam exhausts.

Removal or repair of insecure buildings, etc.

SECTION 57. The owner or other party having an interest in any building, staging or other structure, or anything attached to or connected with a building or other structure, which shall be unsafe so as to endanger life, shall immediately upon notice received from the inspector, cause the same to be made safe and secure, or taken down; and where the public safety requires immediate action, the inspector may enter upon the premises with such assistants as may be necessary, and cause the said structure to be secured or taken down without delay, and the passers-by to be protected at the expense of such owner or party interested.

Buildings authorized by board of public affairs.

SECTION 58. That whenever any person, firm, corporation, exposition commission, or the officers of the said city, shall wish to erect public building or buildings for exhibitions, shows or for other purposes, and desire to use in the same plans and materials which do not conform to the requirements of this act, the same may be authorized by the "board of public affairs of said city," provided the plans and specifications for the same meet with the approval of the said inspector.

Building contrary to provisions of this act declared unlawful.

SECTION 59. That it shall be unlawful for any one either as owner, agent, architect, contractor, superintendent or employe, to proceed in the work of placing materials upon, or furnishing any labor in the construction of a new building or structure, or the alteration of an old building, in any city of the first class of the first grade, without first obtaining a permit therefor, and without conforming to all the requirements of this act.

SECTION 60. All the officers appointed under this act, or any future amendments to the same, shall, so far as may be necessary for the performance of their respective duties, have the right to enter any building or premises in said city of the first class, first grade. Officers' right of entry into buildings, etc.

SECTION 61. Any court having equity jurisdiction, in term time or vacation, may, on the application of the inspector, by any suitable process or decree in equity suit brought in the name of said city, enforce the provisions of this act; and may, on such application, issue an injunction to restrain the use or occupation of any building or structure in said city, erected, altered, maintained or used in violation of this act. Enforcement of foregoing provisions by injunction, etc.

SECTION 62. That the act to regulate the construction and plumbing of buildings within any city of the first class, of the first grade, and to provide for the appointment of a building inspector, passed March 31, 1887 (84 v., 143), and all other acts or sections of the Revised Statutes in conflict with this act, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage. Repeal.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed February 28, 1888.

[Senate Bill No. 70].

AN ACT

To establish a commission to investigate and report upon water supply for cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class, there shall be a board of commissioners, to be known as the water supply commissioners, consisting of three electors of said city, who shall also be tax-payers, to be appointed by the governor. The governor shall appoint, as members of such board, three citizens, electors and tax-payers of such city, well known for their intelligence and integrity, and who shall, before entering upon their duties, take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to support the constitution of the United States and of the State of Ohio, and to well, truly and economically discharge the duties of their office according to the best of their ability. Cincinnati water supply commissioners. Appointment. Oath.

President; quorum; meetings.

SECTION 2. Said commissioners shall form a board, and shall choose one of their number president. A majority of them shall constitute a quorum, and they shall hold regular meetings for the transaction of business at their office in the city for which they are appointed; but they may adjourn from time to time to meet at any place they may think proper. They

Record of proceedings; accounts.

shall keep a full record of their proceedings, and shall cause full and accurate accounts of their expenses and disbursements, including salaries paid employes, to be made and signed by the members of said board, and shall transmit the same to the board of public affairs of the city for which they are appointed; and said board of public affairs shall allow and approve the same, and cause the same to be paid in the same manner as the expenditures and disbursements of said board

Disbursements, how made.

of public affairs are paid; and the same shall be paid out of any unexpended moneys belonging to said city. The members of said board of commissioners shall receive no compen-

Expenses.

sation for their time or services; but their actual expenses, incurred in the discharge of their official duties, shall be allowed and paid in the same manner as the other expenses and expenditures incurred by them.

Clerk, engineers and other employes.

SECTION 3. Said commissioners shall have power and authority to appoint and employ a clerk, and shall have power and authority to appoint and employ such hydraulic, scientific or practical engineers and other employes as they may deem necessary to aid them in the discharge of the duties, and the fulfillment of the purposes for which they are

Power to incur expenses.

appointed, and shall have power and authority to incur any other expenses necessary for the discharge of such duties and the fulfillment of such purposes.

Surveys and plans for water supply.

SECTION 4. Said commissioners shall, as soon as practicable after the organization of their board, take up and consider the surveys and plans, if any, heretofore made or devised for water supply in such city, and shall cause such additional surveys and plans to be made therefor, either within or without the limits of the city or state, as they may deem advisable, and so that all the facts necessary for the proper determination of the question as to the best and most economical way of supplying pure water, may be laid before the general assembly of the state of Ohio, as hereinafter provided.

Plans, etc., where to be deposited.

SECTION 5. Said commissioners shall complete said plans and surveys at the earliest practicable date, and shall deposit the same, together with all books, papers and property used by said commissioners, with the clerk of the board of public affairs of such city for safe keeping and preservation. Said commissioners shall, at the same time, transmit a written report of the information acquired by them to the general assembly

Report to general assembly.

of the state of Ohio, together with such statements and estimates as may be necessary to explain the same, and their recommendation as to the best, most practicable and most

economical method of obtaining a supply of pure water for such city.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 2, 1888.

[House Bill No. 90].

AN ACT

To further provide against the evils resulting from the traffic in intoxicating liquors, by local option in any township in the state of Ohio.

Petition for prohibition of liquor traffic in townships.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever one-fourth of the qualified electors of any township, residing outside of any municipal incorporation, shall petition the trustees therefor for the privilege to determine by ballot whether the sale of intoxicating liquors as a beverage shall be prohibited within the limits of such township, and without the limits of any such municipal incorporation, such trustees shall order a special election for the purpose, to be held at the usual place or places for holding township elections; and notice shall be given and the election conducted in all respects as provided by law for the election of township trustees; and only those electors shall be entitled to vote at such election who reside within the township and without the limits of any such municipal incorporation. A record of the result of such election shall be kept by the township clerk in the record of the proceedings of township trustees; and in all trials for violation of this act, the original entry of said record, or a copy thereof certified by the township clerk, provided that it shows or states that a majority was against the sale, shall be *prima facie* evidence that the selling, furnishing, giving away or keeping a place, if it took place from and after thirty days from the day of the holding of said election, was then and there prohibited and unlawful.

Special election to be held.

Notice and conduct of election.

Record of result of election; its value as evidence.

Ballots to be voted at such election.

SECTION 2. Persons voting at any election held under the provisions of this act, who are opposed to the sale of intoxicating liquors as a beverage, shall have written or printed on their ballots, "Against the sale;" and those who favor the sale of such liquors shall have written or printed on their

ballots, "For the sale;" and if a majority of the votes cast at such election shall be "Against the sale," then from and after thirty days from the day of the holding of said election, it shall be unlawful for any person within the limits of such township and without the limits of such municipal corporation to sell, furnish or give away any intoxicating liquors to be used as a beverage, or to keep a place where such liquors are kept for sale, given away or furnished; and whoever sells, furnishes or gives away any intoxicating liquors as a beverage, or keeps a place where such liquors are kept for sale, given away or furnished, shall be fined not more than five hundred dollars, nor less than fifty dollars, and imprisoned in the county jail not exceeding six months; but nothing in this section shall be construed so as to prevent the manufacture and sale of cider, or sale of wine manufactured from the pure juice of the grape, cultivated in this state, nor to prevent [a] legally registered druggist from selling or furnishing pure wines or liquors for exclusively known medicinal, art, scientific, mechanical, or sacramental purposes; but this provision shall not be construed to authorize the keeping of a place where wine, cider or other intoxicating liquors are sold, kept for sale, furnished or given away as a beverage.

When the traffic in any township shall be unlawful.

Penalty for carrying on such prohibited traffic.

Manufacture and sale of cider or native wine; registered druggists.

SECTION 3. In indictments for violations of this act, it shall not be necessary to set forth the facts showing that the township has availed itself of the provisions of this act, but it shall be sufficient to plead simply that said selling, furnishing, giving away or keeping a place was then and there prohibited and unlawful.

Sufficiency of indictments under this act.

SECTION 4. In any township where the majority of the votes cast at such election shall be "Against the sale," and a dealer in intoxicating liquors who has paid the special tax shall, by reason of said vote, discontinue his business, a ratable proportion of said tax paid by such dealer in intoxicating liquors for the unexpired portion of the year shall be returned to such dealer.

Return of ratable proportion of liquor tax to dealer.

SECTION 5. At any time after two years from the date of any election held under the provisions of this act, another election may be ordered as provided in section one.

Another election may be ordered, when.

SECTION 6. The following shall be deemed a sufficient entry and record of the result of an election under this act as required under section one:

Entry and record of result of election required by sec. 1.

The State of Ohio, ... County, ... Township, ss:

The special election held on the ..... day of..... , A. D. ....., within and for said township, under the local option law, resulted as follows:

Whole number of votes "For the sale," .....; whole number of votes "Against the sale,".....

Attest: .... Township Clerk.

SECTION 7. All fines collected under this act shall be paid into the county treasury and credited to the poor fund of the county. Disposition of fines.

SECTION 8. This act shall take effect and be in force from and after its passage. Taking effect.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 206].

AN ACT

To amend section 2445, as amended April 14, 1884, and to supplement sub-division 1, chap. 2, div. 8, title 12, of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2445 of the Revised Statutes of Ohio, as amended April 14, 1884, be amended so as to read as follows: Cincinnati fire department.

SEC. 2445. Any interest received from the deposit of said fund shall be credited to the fund, and, until such tax is collected, the salaries of officers and members and other necessary expenses shall be paid out of the fund that otherwise would be used for fire department purposes. Disposition of interest on fire commission fund.

SECTION 2. That the following sections be enacted supplementary to sub-division 1, chapter 2, division 8, title 12, of the Revised Statutes of Ohio, with sectional numbering as follows:

SEC. 2445*a*. That in cities of the first grade of the first class, the board of fire commissioners, in addition to the powers already possessed by them, shall have power under the provisions hereof to expend in purchasing sites, building engine houses, purchasing the necessary engines, horses, hose, reels, ladders and all other necessary apparatus and equipments for establishing new fire companies, a sum not to exceed one hundred and fifty thousand dollars ($150,000.00). Commissioners may expend money to establish new companies.

SEC. 2445*b*. That to provide funds to meet such expenditure, the board of public affairs of such city shall, forthwith, upon receiving orders from said board of fire commissioners, certified to by its president and clerk, and from time to time and as often as the board of fire commissioners think necessary, issue the bonds of such city to an amount not to exceed in the aggregate the sum of one hundred and fifty thousand dollars ($150,000.00). Said bonds shall be made payable at Issue of bonds to meet such expenditure.

such time and shall bear interest at such rate not to exceed four per cent. per annum, as said board of public affairs shall determine. Said bonds shall be signed by the president of such board of public affairs and the mayor of such city, and be attested by the comptroller of such city, and shall be secured by the pledge of the faith of such city, and a tax which it shall be the duty of the council of such city annually to levy upon the taxable property of such city, and certify the same to the county auditor upon a certificate to that effect from the trustees of the sinking fund of such city as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Sale of bonds.

SEC. 2445*c*. Said board of public affairs shall receive bids for said bonds from time to time, as they may receive orders from said board of fire commissioners to issue the same, and, after advertising the same, as required by law, shall sell the same for not less than their par value with accrued interest to the highest bidder. The money arising from the sale of said bonds shall be placed in the city treasury to the credit of the fire department and used for the purposes of establishing new fire companies, as provided in section 2445*a*, and shall be drawn out upon the order of the board of fire commissioners, which board shall have sole control of the expenditure of the funds provided for by this act for the purposes indicated therein.

Disposition of proceeds.

SECTION 3. That said original section 2445 of the Revised Statutes of Ohio be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 76].

AN ACT

To amend an act passed February 19, 1885, entitled an act regulating the employment by railroads of persons affected with color blindness or other defective sight.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said act be so amended as to read as follows:

That no railroad company shall hereafter contract to employ any person in a position which requires him to distinguish form or color signals, unless such person within two years next preceding has been examined for color-blindness in the distinct colors in actual use by such railroad company, by some competent person employed and paid by the railroad company, and has received a certificate that he is not disqualified for such position by color-blindness in the colors used by a railroad company. Every railroad company shall require such employe to be re-examined at least once within every two years at the expense of the railroad company; provided, that nothing in this section shall prevent any railroad company from continuing in its employment any employe having defective sight, in all cases where such defective sight can be fully remedied by the use of glasses, or by other means, satisfactory to the person making such examinations.

Employment of color-blind persons by railroad companies forbidden, except; examination.

SECTION 2. A railroad company shall be liable to a fine of one hundred dollars for each violation of the preceding section.

Penalty.

SECTION 3. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 210].

AN ACT

To amend sections 2113 and 2115 of the Revised Statutes, as amended by the act of May 17, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2113 and 2115, and as amended by the act of May 17, 1886 (vol. 83, page 174, O. L.), be so amended as to read as follows

Boards of health:

SEC. 2113. The council of each city and village having a population of five hundred or more shall establish a board of health; such board shall be composed of the mayor, who shall be president by virtue of his office, and six members to be appointed by the council, who shall serve without compensation, and a majority of whom shall constitute a quorum. Provided, that none of the provisions of this section shall apply to cities of the first grade of the first class.

How established and constituted in municipalities.

Cincinnati.

Board may appoint health officer, clerk, etc.

SEC. 2115. The board shall appoint a health officer, who shall furnish his name and address and such other information as may be required by the state board of health; and may appoint a clerk, as many ward and district physicians as it may deem necessary for the care of the sick, poor and such other persons as may be in need, and define their duties and fix their salaries; and all such appointees shall serve during the pleasure of the board.

SECTION 2. That original sections 2113 and 2115 are hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[Senate Bill No. 106].

AN ACT

Amendatory to sections 2131*a* and 2132*a* of the Revised Statutes of Ohio.

Cleveland board of health:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections, 2131*a* and 2132*a*, Revised Statutes of Ohio, be so amended as to read as follows:

Appointment of sanitary police.

SEC. 2131*a*. In all cities of the second grade of the first class, the board of health shall have power to appoint as many persons for sanitary duty as in its opinion the public health and sanitary condition of the corporation may require, not exceeding one for each ten thousand inhabitants, as shown by the last police census in such cities; but the board shall have the power in cases of emergency, to appoint as many special sanitary police as it may think proper, and such appointees as special police shall serve during the pleasure of the board: and all such persons shall have general police powers, be known as sanitary police; shall be electors of such cities, and perform such duties as the board of health may direct; and for such services shall receive a salary, fixed by the board, of not less than seven hundred and eighty dollars per annum. Provided, that the sanitary police now in office shall not be removed except in the manner provided for by sec. 2132*a*.

Specials.

Powers, duties and salaries.

Removal of police now in office.

Removals and suspensions generally.

SEC. 2132*a*. In all cities of the second grade of the first class, the board of health may, for cause to be assigned, on a public hearing, on due notice, and by the vote of a majority of all members elected, according to rules promulgated by it.

remove or suspend from office; or for any definite time deprive from pay, any member of such sanitary police force or any employe of such board; and no employe of such board of health shall be dismissed for other reasons; it may make rules and regulations for the government and discipline of the employes, and cause the same to be published. Rules and regulations.

SECTION 2. That sections 2131*a* and 2132*a*, as enacted April 30, 1886, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate

Passed March 6, 1888.

[Senate Bill No. 117].

AN ACT

To change the times for holding courts of common pleas in Perry county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the time for holding the March and October terms, A. D. 1888, of the court of common pleas of Perry county, as fixed by the judges of the seventh judicial district, be and the same is hereby changed, so that said terms shall be held on the 21st day of May and the first day of October, A. D. 1888, respectively, instead of the times as fixed by said judges. Changing time of holding Perry common pleas court.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 30].

AN ACT

To amend sections 63, 64 and 65 of the Revised Statutes of Ohio, as amended April 6, 1886 (83 v. O. L., p. 65).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 63, 64 and 65 of the Revised Statutes of Ohio, as amended April 6, 1886 (83 v. O. L., p. 65), are so amended as to read as follows:

Reports of state officers and institutions: number to be printed; how distributed.

SEC. 63. There shall be printed, in pamphlet form, the number hereinafter stated of each of the annual reports of the following officers and boards:

Secretary of state, including statistics: For the secretary, five thousand copies; for each member of the general assembly, one hundred and twenty copies.

Auditor of state, including detailed statement of receipts and disbursements: For the auditor, nine hundred copies; for each member of the general assembly, ten copies.

Treasurer of state: For the treasurer, three hundred copies; for each member of the general assembly, five copies.

Sinking fund commissioners: For the commissioners, two hundred copies; for each member of the general assembly, five copies.

Attorney-general: For the attorney-general, two hundred copies; for each member of the general assembly, five copies.

Commissioner of common schools: For the commissioner, ten thousand copies; for each member of the general assembly, one hundred copies; for each board of county school examiners, one hundred copies for distribution among teachers, boards of education, and special school boards.

Commissioners of state library: For the commissioners, four hundred copies; for each member of the general assembly, five copies.

Supervisor of public printing: For the supervisor, two hundred copies; for each member of the general assembly, five copies.

Commissioner of railroads and telegraphs: For the commissioner, one thousand copies; for each member of the general assembly, five copies; each copy to contain a correct railroad map of the state; of railroad maps mounted on pasteboard, for each member of the general assembly, twenty-five copies.

Commissioners of fisheries: For the commissioners, five hundred copies; for each member of the general assembly, five copies.

State inspector of oils: For the inspector, three hundred copies; for each member of the general assembly, five copies.

Adjutant-general: For the adjutant-general, six hundred copies; for each member of the general assembly, five copies.

Board of public works: For the board, three hundred copies; for each member of the general assembly, five copies.

Printing and distribution of state reports.

Warden and directors of the penitentiary: For the warden and directors, five hundred copies; for each member of the general assembly, five copies.

Institution for the education of the deaf and dumb: For the institution, one thousand copies; for each member of the general assembly, ten copies.

Institution for the education of the blind: For the institution, five hundred copies: for each member of the general assembly, five copies.

Columbus asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Athens asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Dayton asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Cleveland asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Longview asylum for the insane: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Boys' industrial school: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Girls' industrial home: For the superintendent, five hundred copies; for each member of the general assembly, five copies.

Institution for idiotic and imbecile youth: For the institution, one thousand copies; for each member of the general assembly, five copies.

Board of state charities: For the board, two thousand copies; for each member of the general assembly, five copies.

Soldiers' and sailors' orphans' home: For the board of trustees, one thousand copies; for each member of the general assembly, five copies.

Ohio state university: For the trustees and officers, five thousand copies; for each member of the general assembly, five copies.

Inspector of mines: For the inspector, twenty-five hundred copies; for each member of the general assembly, twenty-five copies.

Commissioner of the statistics of labor: For the commissioner, forty-five hundred copies; for each member of the general assembly, fifty copies.

Superintendent of insurance: For the superintendent, of the fire insurance report two thousand copies; of the life insurance report, twelve hundred copies; for each member of the general assembly, of the fire insurance report, ten copies; of the life insurance report, five copies.

Printing and distribution of state reports.

Meteorological bureau: For the board of directors, one thousand copies; for each member of the general assembly, five copies.

Inspector of shops and factories: For the inspector, four thousand copies; for each member of the general assembly, ten copies.

Forestry bureau: For the board of directors, two thousand copies; for each member of the general assembly, twenty copies.

State board of agriculture: For the board, five thousand copies; for each member of the general assembly, one hundred and thirty copies.

Reports printed in German language.

The report of the secretary of state, of the commissioner of labor statistics, of the inspector of shops and factories, and the state board of agriculture, shall also be printed in the German language; and the secretary of state shall ascertain from each member of the general assembly how many of the copies to which he is entitled, he wishes in the German language, and the aggregate number so determined shall be printed in German and distributed to the members of the general assembly accordingly. The several reports furnished to members of the general assembly shall be boxed and directed to the members in care of the county auditor of the county where they respectively reside, unless the members shall otherwise direct; and the charges for transportation of such reports shall be paid in the same manner as is provided by law for the distribution of laws and journals.

Transportation of reports to members of general assembly.

Charges.

Binding of reports.

SEC. 64. The report of the secretary of state, commissioner of common schools, superintendent of insurance, commissioner of railroads and telegraphs, state board of agriculture, commissioner of the statistics of labor, and the auditor of state's report, shall be bound in muslin and properly lettered on the back; and all other reports mentioned in section 63 shall be bound in brochure covers, unless otherwise ordered by joint resolution.

Printing of executive messages and inaugural addresses.

SEC. 65. All regular messages of the governor, and all inaugural addresses of the governor-elect, shall be printed in pamphlet form; for the governor delivering such messages or addresses, five hundred copies; for each member of the general assembly, ten copies, without any order by either or both houses for the printing thereof.

SECTION 2. That section 63, as amended April 6, 1886 (83 v. O. L., p. 65,) and 65 of the Revised Statutes of Ohio are repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives

WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 13].

AN ACT

To require a public record of the names and amounts due unknown depositors of banks, and to provide for the final disposition of unclaimed deposits.

Annual report to probate judge of unknown banking depositors and deposits.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every incorporated bank or banking association located in this state, whether now or hereafter incorporated or organized under the laws of this state, or of the United States, and every company, association, or person, who shall in this state keep an office or other place of business, and engage in the business of lending money, receiving money on deposit, buying and selling bullion, or bills of exchange, notes, bonds, stocks, or other evidence of indebtedness, with a view to profit, shall, annually, between the first and second Mondays of January, make out and return to the probate judge of the county in which said bank, office, or other place of business is located, under oath of the owner, or principal officer or manager thereof, a true and complete statement, setting forth, in alphabetical order, the names of all unknown depositors with said bank, company, association or person, together with the amount due to every such unknown depositor, including accrued interest and dividends.

Who are to be deemed "unknown depositors"

SECTION 2. Every corporation, company, association, or person, in whose name a deposit of any money, bullion, bill of exchange, note, stock, bond or other evidence of indebtedness has been made with any bank, company, association, or person, designated in the first section hereof, shall be deemed an unknown depositor within the meaning of this act, when the date of the last bona fide item of debt or credit to the account of such depositor on the books of said bank shall be more than seven years prior to the time fixed by the first section hereof for the filing of said statement with the probate court of the proper county; provided, that in fixing the date of the last item of credit to the account of any depositor, reference shall not be had to any item of credit for interest or dividends accrued on such deposit, unless the same shall be entered upon a pass book presented by and returned to the depositor, or unless the depositor be a minor.

Record of unclaimed deposits to be kept by probate judge.

SECTION 3. The probate judge of each county shall, on or before the third Monday of January, annually, cause to be recorded in a book kept for that purpose, entitled "record of unclaimed deposits in banks, ——— county, Ohio," and which shall at all times be open to public inspection, all statements returned to him for the preceding year under the provisions of this act, and said probate judge shall designate in said book at the head of each statement recorded therein, the name of the bank, company, association or person by whom said statement is returned. The original statement returned to said probate judge shall be kept on file and preserved in his office.

His fees for making such record; how paid.

SECTION 4. There shall be allowed and paid to the probate judge of each county, the sum of eight cents per hundred words, for all statements recorded by said probate judge under the provisions of this act; provided, that the cost of recording the names and amounts due to any depositors, by whom deposits shall be made as aforesaid after the passage of this act, and who shall thereafter become unknown within the meaning of this act, shall be paid to said probate judge by the bank, company, association, or person designated in section one hereof, at the time such annual statement is returned, and shall be by such bank, company, association, or person, deducted from the amount due such unknown depositor.

Unknown deposits to be paid into county treasury; when.

SECTION 5. That whenever any corporation, company, association, or person, in whose name any deposit is hereafter made with any bank, company, association, or person designated in section one hereof, shall become unknown within the definition and meaning of this act, the amount due to such depositor shall be by such bank, company, association or person, paid to the treasurer of the county in which such bank, company or association is located, and shall be by said treasurer credited to the general fund of said county; provided, that such deposit shall not be paid to said treasurer until after the expiration of eight years from the date of the first statement, in which the name and amount due such unknown depositor shall be returned to the probate judge as hereinbefore provided; and the bank, corporation, association or person so making such payment shall thereby be released from any claim, demand or liability to pay the same or any part thereof to the depositor, his administrators, executors or assigns.

Such payment releases the bank's liability.

How and by whom such deposits may be reclaimed.

SECTION 6. If at any time thereafter proof is made to the satisfaction of the probate court, or the county commissioners, of the right of any person or persons, by inheritance or otherwise, to said funds or any part of the same, or paid to the treasurer under the provisions of the preceding section, said court or commissioners shall certify the same to the county auditor, who shall thereupon draw a warrant on the treasurer of the county in favor of such claimant or claimants, or the legal representatives or duly authorized agent of such claimant or claimants for the sum so paid into the treasury; provided, if any such person or persons become aggrieved by the decision, finding or action of the probate court or the county commissioners, such person or persons may appeal to the court of common pleas, by virtue of the provisions of the Revised Statutes of 1883, sections 896, 6407, 6408, 6409, and 6410, respectively, and all acts amendatory and supplementary thereto, and said sections shall, so far as applicable, govern proceedings had under the provisions of this act.

Penalty for bank's refusal or neglect to comply with this act.

SECTION 7. That every bank, company, association, or person designated in section one of this act, who shall neglect or refuse to comply with the provisions of this act, shall forfeit and pay five hundred dollars for every such offense.

Recovery and disposition of penalties.

SECTION 8. The penalty imposed by this act shall be recovered by action in the name of the state of Ohio, before any court of competent jurisdiction; and all penalties incurred under this act, when collected, shall be paid to the treasurer of the county in which the judgment is recovered for the same, and one-half thereof shall be by said treasurer credited to the general fund of said county, and one-half thereof shall be by him held for the use of the state of Ohio.

Who may sue; duty of prosecuting attorney.

SECTION 9. The action provided by the eighth section hereof, for the recovery of penalties incurred under the provisions of this act, may be instituted and prosecuted to judgment by any citizen of the state of Ohio; and it is hereby made the duty of the prosecuting attorney of such county to institute and prosecute such action against every bank, company, association or person designated in the first section hereof, and located in said county, who shall fail to comply with the provisions of this act.

SECTION 10. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 14].

AN ACT

To authorize the commissioners of any county containing a city of the second grade of the first class to contract for printing, stationery, etc.

Cuyahoga county officers to furnish auditor annual estimates of printing, stationery, etc., required.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county containing a city of the second grade of the first class, it shall be the duty of each and every county officer, or head of a department, on or before the first day of March of each and every year, to furnish the county auditor with an estimate, with accompanying samples or specifications, of all printing, stationery and blank work, of every kind and description, and all other office supplies needed in his department.

Auditor to advertise for bids.

SECTION 2. Within ten days after receiving said estimates, the county auditor shall advertise, for a period of ten days in a daily newspaper, for bids for the furnishing of said supplies and the doing of said work, for the period of one year, to be furnished at such times and in such quantities as the various county officers or departments may require and order, and the bids, when received, shall be opened by the county commissioners and the county auditor, and said county commissioners shall enter into contract with the lowest bidder or bidders; they shall also fix the amount of a bond which shall accompany each bid, binding the bidder or bidders to enter into a contract, in case a contract is entered into, and also fix the amount of a bond which shall accompany each contract, binding the parties entering into said contract to faithfully comply with its requirements in every respect.

Opening of bids; letting of contracts; bond required.

Auditor to purchase and issue all supplies; to keep a record thereof.

SECTION 3. The county auditor shall order and purchase all supplies contemplated in this act, so far as the same relates to printing, paper, envelopes, stationery sundries, and miscellaneous supplies; and he shall issue the same upon the written requisition of the several officers and heads of the departments of the county government. He shall keep a record of all such purchases and requisitions in a book provided for that purpose, and shall make therefrom a semi-annual report in detail to the commissioners. A transcript of all bills for printing, stationery and blank work of every description used in the several departments, shall be filed with the county auditor, who shall enter the same upon the record, and include the same in his report as herein provided.

Transcript of all bills to be recorded.

Printing not to be ordered or supplies purchased by other officers.

SECTION 4. No officer or head of any department of any county containing a city of the second grade of the first class, shall order printing done, or supplies of any kind provided for in this act, except in accordance with the terms of this act, and no claim for such printing or supplies shall be paid unless it is incurred according to the provisions of this act.

Printing of annual reports or statements.

SECTION 5. No officer, department, or head of any department of any county containing a city of the second grade of the first class, shall be permitted to order any annual reports or statement printed at the expense of the county, except by order of the county commissioners.

Bills to be contracted only under this act.

SECTION 6. No bills for such printing and supplies as are contemplated by this act shall be allowed, unless they are contracted for under the provisions of this act.

Auditor to endorse bills.

SECTION 7. All bills contracted under the provisions of this act, before they are paid, shall have the endorsement of the county auditor to the effect that they are in accordance with the contract.

Repeal.

SECTION 8. All acts and parts of acts conflicting with any of the provisions of this act be and the same are hereby repealed, as to any county containing a city of the second grade of the first class.

SECTION 9. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 94]

AN ACT

Relating to the duties and compensation of certain county officers and their assistants, in counties containing a city of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in each county containing a city of the second grade of the first class, the compensation of the officers thereof specified in this section shall be by annual salary exclusively, except as otherwise provided in section nine of this act, to be paid in monthly installments, as follows: The recorder four thousand dollars, and the clerk of court of common pleas, sheriff, treasurer, auditor and probate judge, five thousand dollars each; and neither of them shall receive, nor agree to receive, directly or indirectly, any additional compensation from any source whatever, for the performance or omission of any official duty, nor a reward of any kind from any employe in his office, or other person, in consideration of the appointment of any such employe, nor any portion of the compensation of any of his employes, nor any money or thing by way of gift or otherwise, from any officer, agent or employe of the county or its commissioners, or from any other person; and no such employe shall pay or agree to pay, directly or indirectly, to the officer by whom he is employed, any reward for his appointment, nor receive from any person any fee or compensation for his own use or for the use of such officer, for the performance or omission of any official duty. The compensation of the deputies and other clerks and employes of said officers, except persons employed temporarily as provided in the next section, shall also be by annual salary exclusively to be paid in monthly installments. And all such salaries shall be paid by the county in the manner hereinafter provided; but if any such officer be removed from office, or any such deputy, clerk or employe be dismissed from his position, his compensation shall cease at the time of such removal or dismissal.

Annual salaries of Cuyahoga county officers:

Amounts, payable monthly.

Receipt and payment of additional compensation, rewards, etc., forbidden.

Deputies and other employes to be paid annual salaries in monthly installments.

Salary to cease, when.

Number and salaries of deputies and other employes, how determined.

SECTION 2. Each of said officers shall select the persons to be employed in his office, and designate the capacity in which they shall serve respectively; but the number of such employes and the compensation of each shall be determined by the county commissioners; but the commissioners shall not authorize the employment of more persons by any officer than are actually necessary for the proper execution of the duties of his office with reasonable hours of service. In determining the number of employes for any office, the commissioners shall have in view the number employed therein the year preceding the passage of this act, and also the increase or diminution from time to time, of the labor to be performed in such office; and in determining the salaries thereof they shall allow to one deputy in the offices of clerk of court of common pleas, sheriff, treasurer, auditor and probate judge, respectively, a salary of not more than two thousand nor less than fifteen hundred dollars, but no other deputy, clerk or employe in either of said offices shall be allowed more than twelve hundred dollars; and in the office of recorder they shall allow the deputy a salary of not more than fifteen hundred dollars nor less than twelve hundred dollars, but no other clerk or employe in his office shall be allowed more than one thousand dollars; provided, that the employment of clerks or other assistants temporarily, in addition to the regular employes, at a stipulated sum per day, may be authorized by the commissioners when they are satisfied that the business of any such office so requires.

Temporary clerks at stipulated sum per day.

Record of employes and their salaries to be kept; monthly pay roll.

SECTION 3. The commissioners shall keep a record of the number of deputies and other clerks and employes allowed each of said officers, and the compensation of each; and on the first business day of each month, each of said officers shall submit to the commissioners a pay roll for the preceding month, which shall show the name and official title of such officer, the name of each person employed in his office for the month covered by the pay roll, and the capacity in which he was employed, and also the salaries of the officer and employes respectively, the allowance per day for temporary clerks or assistants, if any such have been employed, and the amount due each. There shall be attached to such pay roll, a statement sworn to by the officer that the pay roll is correct in every particular, and that he is not to receive, directly or indirectly, any portion of the compensation shown thereby to be due any employe whose name is entered thereon. If the commissioners find upon examination that such pay roll is correct, they shall endorse thereon their approval thereof, and file the same with the county auditor, who shall draw his warrant on the county treasurer in favor of the respective persons whose names appear thereon, for the amounts shown thereby to be due them respectively, and take their receipts therefor on the pay roll on the right hand margin opposite their respective names, in a space headed "received from the county auditor a warrant for the amount shown hereon to be due me."

Sworn statement attached to pay roll; approval of same.

Auditor's warrants and receipts.

SECTION 4. All fees, costs, percentages, penalties, allowances and other perquisites which are now or may hereafter be allowed by law for the performance of official duty by any officer mentioned in section one, or by the sheriff as special master-commissioner or as receiver in any case, shall, when collected, be for the sole use of the county, except as otherwise provided in section nine, and the total receipts thereof each day by each of said officers, shall, except as otherwise provided in section seven, be paid by him to the county treasurer at the close of the business of the day, and be duly accounted for by the treasurer; and said officers shall keep full and accurate accounts in books to be provided for that purpose, showing all fees, costs, percentages, penalties, allowances and other perquisites that accrue to his office, and from whom the amounts paid to him each day, and by whom the amount paid to the county treasurer each day, and the amount due and unpaid, and also the name of each person or party liable for any part of such as are due and unpaid, and the amount due from each; provided, that such fees, costs, percentages, penalties, allowances and other perquisites in cases pending in court, shall not be deemed to be earned or to have accrued within the meaning of this act, until final judgment; except in habeas corpus and divorce cases.

Fees, etc., to be paid into county treasury.

Daily account of fees, etc., to be kept.

When fees etc., shall be deemed earned.

SECTION 5. Each officer mentioned in section one shall, on the first business day of each month, file with the county commissioners a statement, verified by his affidavit, showing the full receipts daily by him for the preceding month, and the total for the month from each of the sources specified in the preceding section, and also a statement, verified as aforesaid, showing the full amount of all fees, costs, percentages, penalties, allowances, and other perquisites accrued to his office and not paid to him, and the name of each person or party liable for any part thereof, and the amount due from each; and each statement, after the first, of amounts due and unpaid, shall begin with a showing of the amount theretofore reported due and unpaid, and what portion thereof has been paid during the month covered by the report. And on the day his term of office expires he shall file with the commissioners like statements showing such receipts daily since his last statement, and such amounts due and unpaid up to that time.

Monthly statement of receipts.

Monthly statement of unpaid fees, etc.

Officers' final statements.

SECTION 6. All statements required by the preceding section to be filed with the commissioners shall be carefully preserved by them, and shall be subject to public inspection during all official business hours; and the account books provided for by section four shall be subject to like inspection, and shall remain in the respective offices where kept, and at the expiration of the term of any officer mentioned in section one shall be turned over to his successor in office.

Such statements and accounts to be preserved subject to inspection.

SECTION 7. Each officer mentioned in section one shall exercise due diligence in the collection of fees, costs, percentages, penalties, allowances, and other perquisites accruing to his office, and shall, where authorized by law, collect the same

Diligence required in collection of fees, etc.

before or at the time they are earned; but the county commissioners may, by order entered on their journal, and certified to the treasurer, authorize the treasurer to omit for thirty days, to enforce payment of penalties for the non-payment of taxes within the time limited by law; and the treasurer shall not be required to report to the commissioners in his statements required by section five the percentages allowed him by law on taxes collected, except in such statements next following his semi-annual settlements with the auditor.

Treasurer may omit enforcement of tax penalties, when; his statements.

SECTION 8. It shall be the duty of the county commissioners to see that the provisions of this act are faithfully complied with; and they may employ an expert accountant whenever and for such time as they deem necessary, and at such compensation as they deem judicious, to ascertain by examination whether the books and accounts of the officers mentioned in section one are legally and correctly kept, and whether the statements they are required by this act to make to the commissioners are correct; and such accountant shall report to the commissioners the result of such examination, which report they shall preserve in their office. If it appear by any such report that any such book or account, or any such statement is false or fraudulent in any respect, they shall make a thorough investigation of the matter, and may, if they deem it necessary or expedient, subpœna witnesses and examine them under oath; and they shall have the same power as justices of the peace to compel the attendance of witnesses. The cost of any such investigation shall be paid from the general fund of the county, on the warrant of the county auditor, when duly certified to him by the commissioners.

Duty of commissioners; may employ accountant to examine officers' books and accounts.

His report.

Investigation of false statements.

SECTION 9. The sheriff shall be allowed to retain for his own use whatever money he may receive under any contract with the county commissioners for keeping and providing for prisoners in the county jail; but in making such contract the commissioners shall specify, in general terms, the manner in which such prisoners shall be kept and provided for, and shall see that the terms of the contract are fully complied with.

Rights of sheriff under contract for keeping of prisoners.

SECTION 10. Nothing in this act shall be construed to vest in any officer mentioned in section one such fees, costs, percentages, penalties, allowances, or other perquisites as are unpaid at the end of their respective official terms, but the same shall be the property of the county, to be collected by their successors in office, and applied as provided in this act; but fees, costs, percentages, penalties, allowances, and other perquisites that accrue to said officers prior to the taking effect of this act shall not be affected hereby.

Fees, etc., unpaid at close of an officer's term belong to county.

SECTION 11. All money paid to the county treasurer in pursuance of this act shall be by him credited to the general fund of the county; and all warrants issued by the county auditor in pursuance thereof shall be drawn upon said fund.

Moneys to be paid into and from general fund.

SECTION 12. If any officer mentioned in section one willfully fail or refuse to perform faithfully and promptly any duty required of him by this act, or knowingly violate any provision thereof or willfully make any false or fraudulent showing in any statement thereby required of him, or in any account book provided for herein, he shall be fined in any sum not less than one thousand nor more than five thousand dollars, and be imprisoned in the penitentiary not less than one year nor more than five years; and if any deputy, clerk, or employe willfully violate any provision in this act, he shall be fined not less than one hundred nor more than five hundred dollars, and be imprisoned in the county jail not less than three months nor more than one year. The aforesaid penalties against said officers shall be in addition to penalties provided by existing statutes; and the fines imposed by this section shall be paid into the county treasury, to the credit of the general fund of the county.

Violation of this act by an officer; penalty.

By a deputy; penalty.

Penalties are cumulative; disposition of fines.

SECTION 13. The official bond required by law heretofore or hereafter taken from any of said officers shall be deemed to make the parties to the same liable for any violation on the part of the officer for whom they are sureties, of any of the provisions of this act, and for the faithful performance of all the duties required hereby; but upon the taking effect of this act the county commissioners may, in their discretion, require from any or all of the officers mentioned in section one thereof a new and additional official bond, with sufficient sureties, to be conditioned that such officers shall discharge the duties of their respective offices according to law.

Official bonds.

SECTION 14. This act shall not affect the fees or compensation of any officer elected and qualified prior to the first day of January, 1888.

Officers not affected.

SECTION 15. Any provision of statute in force when this act takes effect which conflicts with any provision of this act, shall, to the extent that it is inconsistent with the latter, and not otherwise, be held to be superseded by this act as to counties described herein; but other provisions of statute so in force relating to county officers and county affairs shall not be affected by this act.

Laws conflicting herewith superseded hereby.

SECTION 16. This act shall take effect November 1st, 1888.

Taking effect.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[House Bill No. 288].

AN ACT

To amend section 2296 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2296 of the Revised Statutes be amended so as to read as follows:

Payment and application of assessments.

SEC. 2296. Assessments placed upon the tax list, under the provisions of this chapter, shall, when collected, be paid to the treasurer of the corporation, and be applied by the council only to the purposes of the improvement for which they were made; provided, that in cities of the second grade of the first class, if any part of the excess mentioned in section 2300 remain unclaimed by the person who paid it, for the period of two years after the completion of the improvement, said part of said excess may be used in such manner, and applied to such purposes, as the council may direct.

Disposition of unclaimed excess of assessments in Cleveland.

SECTION 2. Said original section 2296 is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[Senate Bill No. 34].

AN ACT

To amend sections 6 and 7 of an act passed May 17, 1886, (O. L., pp, 178, 179 and 180, vol. 83), amended March 21, 1887, (pp. 182, 183, vol. 84, O. L.,) to prevent adulteration and deception in the sale of dairy products.

Oleomargarine:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 6 and 7 of the above named act, passed May 17, 1886, amended March 21, 1887, be amended so as to read as follows:

Card to be displayed by dealers in artificial dairy products.

SEC. 6. Every person in this state who shall deal in, keep for sale, expose or offer for sale or exchange, any substance other than butter or cheese made wholly from pure milk or cream, salt and harmless coloring matter, which appears to be, resembles, or is made in imitation of, or as a substitute for butter or cheese, shall keep a card not less in size than ten by fourteen inches, in a conspicuous and visible place where the same may be easily seen and read in the store, room, stand, booth, wagon or place where such substance is, on which card shall be printed, on a white ground, in bold, black, Roman

letters, not less in size than twelve line pica, the words, "oleomargarine" or "imitation cheese," (as the case may be), "sold here," and said card shall not contain any other words than the ones above prescribed; and no person shall sell any oleomargarine, suine, imitation cheese, or other imitation dairy product, at retail or in any quantity less than the original package, tub or firkin, unless he shall first inform the purchaser that the substance is not butter or cheese, but an imitation of the same.

Sale of less than original package.

SEC. 7. Every proprietor, keeper, or manager, or person in charge of any hotel, boarding house, restaurant, eating house, lunch counter, or lunch room, who therein sells, uses, or disposes of any substance which appears to be, resembles, or is made in, or as an imitation of, or is made as a substitute for butter or cheese, under whatsoever name, and which substance is not wholly made from pure milk or cream, salt, and harmless coloring matter, shall display and keep a card in a conspicuous place, where the same may be easily seen and read in the dining, eating, restaurant, and lunch room, and place where such substance is sold, used, or disposed of, which card shall be white and in size not less than ten by fourteen inches, upon which shall be printed in plain, bold, black Roman letters, not less in size than twelve-line pica, the words "oleomargarine sold and used here," or "imitation cheese sold and used here," (as the case may be), and said card shall not contain any other words than the ones above described, and such proprietor, keeper, manager, or person in charge shall not sell, furnish, or dispose of such substance as and for "butter and cheese," made from pure milk or cream, salt, and harmless coloring matter, when butter or cheese is asked for.

Card to be displayed by keepers of hotels, restaurants, etc.

SECTION 2. That sections 6 and 7 of the above named act, as amended March 21, 1887, be and the same are hereby repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 195].

AN ACT

Supplementary to section 897 of the Revised Statutes, as amended April 18 [8?], 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section 897 of the Revised Statutes, as amended April 8, 1886.

Allowance to Hamilton county commissioners for expenses.

SEC. 897*a*. In counties in which, by the last federal census, the population amounted to two hundred and fifty thousand, or upwards, each commissioner shall be allowed for expenses incurred by said commissioner, in the proper discharge of his duties within said county, the sum of ($1,000) one thousand dollars per annum. Said sum to be paid out of the county treasury on the warrant of the county auditor.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 128].

AN ACT

To amend sections 3576 and 3578 of the Revised Statutes.

Cemetery associations:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3576 and 3578 of the Revised Statutes of Ohio be amended so as to read as follows:

Plat of grounds; regulations.

SEC. 3576. Every such company or association shall cause a plat of its grounds and of the lots by it laid out, to be made and recorded, or filed in the recorder's office of the county in which situated; the lots to be numbered by regular consecutive numbers; it may inclose, improve and adorn the grounds and avenues, erect buildings for its use, prescribe rules for inclosing and adorning lots, and for erecting monuments in the cemetery, and prohibit any use, division, improvement, or adornment of a lot which it deems improper; and an annual exhibit shall be made of the affairs of the company or association.

Exemptions of burial grounds.

SEC. 3578. Lands appropriated and set apart as burial grounds, either for public or private use, and so recorded or filed in the recorder's office of the county where the same are situate, or any burial ground that has been used as such for fif-

teen years, shall not be subject to sale on execution on any judgment, to taxation to dower, nor to compulsory participation; but land so appropriated and set apart as a private burial ground shall not be so exempt if it exceed in value the sum of fifty dollars.

SECTION 2. That sections 3576 and 3578 of the Revised Statutes of Ohio are hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No 25].

AN ACT

To amend section 2943 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2943 of the Revised Statutes be amended to read as follows, viz.:

Rejection of vote of person who refuses to take oath, or is not a legal voter.

SEC. 2943. If any person refuse to take the oath so tendered, his vote shall be rejected, and after such oath has been taken, the judges shall nevertheless refuse to permit such person to vote, unless a majority of said judges are satisfied from record evidence, or the testimony adduced before them, that he is a legal voter; and they may administer the necessary oaths to all witnesses brought before them to testify to the qualifications of a person offering to vote.

SECTION 2. That original section 2943 be and the same is hereby repealed; and this act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[Senate Bill No. 54].

AN ACT

To define the legal residence of electors who may be inmates of infirmaries owned or maintained by cities of the first or second class, or any county containing a city of the second grade of the second class.

Legal residence of electors residing in certain infirmaries defined.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the legal residence of any qualified elector, who may be an inmate of any infirmary owned or maintained by any city of the first or second class, or any county containing a city of the second grade of the second class, shall be the ward, precinct or township of such city or county where said inmate was domiciled or resident at the time of his admission to said infirmary, and shall so continue during the time he may be an inmate thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON.
President of the Senate.

Passed March 12, 1888.

[Senate Bill No. 119].

AN ACT

To provide for the election of officers in municipal corporations which have failed to elect any for one or more years, and are now without any officers.

Election of officers in municipalities which have neglected such elections.

When and where such election shall be held.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever there has been in any municipal corporation, a failure to hold an election for municipal officers for such corporation for one or more years, so that such corporation is now without any officers whatever, it shall be lawful for the qualified voters of such municipal corporation to hold an election to fill the vacancies that exist in the elective offices of such corporation. Such election shall be held upon the 1st Monday of April next, after the passage of this act, between the hours of 8 o'clock, a. m. and 4 o'clock p. m., at the township hall within such corporation, if there be one, and if not, then at some other place within the corporate limits. The voters of said corporation who meet to open the polls of

such election, shall select by a viva voce vote the judges and clerks of such election, who shall be sworn to perform their duties as such, by any officer authorized to administer oaths, and shall conduct said election according to the ordinary mode of holding elections in other such corporations; and the said judges and clerks, who shall canvass said vote and declare the result, shall certify under their hands who have been elected to the different offices of such corporation, and no further or other returns shall be necessary in order to make the election of said officers legal. That thereupon said officers shall qualify and enter upon the performance of their duties the same as if they had been regularly elected to fill said offices at said election, and shall hold their offices for the full term thereof under the laws as they then exist as to such offices. That at the first meeting of the council of such corporation, the members elected shall take the oath now provided for members of councils of such corporations, which may be administered by any one authorized to administer oaths, and they shall then be called to order by the oldest member, and he shall preside until the council shall be organized by the election of the officers now provided by law for such councils; and thereafter such councils and the officers elected of such corporation shall have the same powers and be in all respects governed by the same provisions of the statutes as other councils and officers of municipal corporations when no such vacancies exist.

Judges and clerks; conduct of election.

Certificates of election.

Qualification of officers elect.

Organization of municipal council.

Powers of officers and council; laws governing.

SECTION 2. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[House Bill No. 61].

AN ACT

To encourage the destruction of the wood-chuck or ground-hog.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any one killing an animal known as the wood-chuck or ground-hog, shall, on the presentation of the scalp of such animal to the clerk of the township wherein such animal was captured and killed, be entitled to a certificate to the amount of twenty cents for each scalp so produced. It shall be the duty of the clerk to destroy such scalp.

Offering a bounty for the killing of ground-hogs.

How paid.

SECTION 2. It shall be the duty of the clerk, on the presentation of the scalp of such animal, which he shall destroy, and then to issue his certificate to the person claiming such reward, on the treasurer of said township for the amount due said person; the same to be paid out of the general fund of the township; provided, however, that in each township no greater amount than one hundred dollars, in any one year, shall be expended for the purposes herein named; and the trustees shall allow such compensation to the clerk for the destruction of the scalps as they may deem just and proper.

Limit of expenditure.

Clerk's compensation.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[House Bill No. 217].

AN ACT

To amend section 148*a* of the Revised Statutes of Ohio, supplementary to section 148 of said Revised Statutes, passed March 18, 1884 (81 O. L., 52), as amended May 15, 1886 (83 O. L., 165).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 148*a* of the Revised Statutes of Ohio, supplementary to section 148 of said Revised Statutes, passed March, 18, 1884 (81 O. L., 52), as amended May 15, 1886 (83 O. L., 165), be and the same is hereby amended so as to read as follows:

SEC. 148*a*. The secretary of state shall hereafter charge and collect the following fees for official services:

Fees to be charged by secretary of state for official services.

1. For filing the articles of incorporation of any corporation whose capital stock is five thousand dollars or under, five dollars; of a corporation whose capital stock is over five thousand dollars, and not to exceed ten thousand dollars, ten dollars; over ten thousand dollars, and not to exceed twenty-five thousand dollars, fifteen dollars; over twenty-five thousand dollars, and not to exceed fifty thousand dollars, twenty-five dollars; over fifty thousand dollars, and not to exceed one hundred thousand dollars, forty dollars; over one hundred thousand dollars, and not to exceed three hundred thousand dollars, sixty-five dollars; over three hundred thousand dollars, and not to exceed five hundred thousand dollars, ninety dollars; over five hundred thousand dollars, and not to exceed eight hundred thousand dollars, one hundred and fifteen dol-

lars; over eight hundred thousand dollars and not to exceed one million dollars, one hundred and fifty dollars; over one million dollars, two hundred dollars.

Fees to be charged by secretary of state for official services.

2. For filing a certificate of increase of the capital stock of any corporation having a capital stock, where the amount of the increase is five thousand dollars or under, five dollars; where the amount of the increase is over five thousand dollars and not to exceed ten thousand dollars, ten dollars; over ten thousand dollars and not to exceed twenty-five thousand dollars, fifteen dollars; over twenty-five thousand dollars and not to exceed fifty thousand dollars, twenty-five dollars; over fifty thousand dollars and not to exceed one hundred thousand dollars, forty dollars; over one hundred thousand dollars and not to exceed three hundred thousand dollars, sixty-five dollars; over three hundred thousand dollars and not to exceed five hundred thousand dollars, ninety dollars; over five hundred thousand dollars and not to exceed eight hundred thousand dollars, one hundred and fifteen dollars; over eight hundred thousand dollars and not to exceed one million dollars, one hundred and fifty dollars; over one million dollars, two hundred dollars; and in estimating the amount of the fees to be paid for filing any such certificate of increase, no credit shall be allowed for fees previously paid by such corporation or the incorporators thereof, but the amount of such fees so to be paid shall be determined solely by the amount of the increase as aforesaid.

3. For filing articles or agreements of consolidation of corporations having a capital stock, the following fees shall be collected by the secretary of state: Said articles or agreements of consolidation shall be treated as the articles of incorporation of the new consolidated corporations created by such articles or agreements of consolidation, and the fees for filing such articles or agreements of consolidation, shall be the same in each case as is herein before set forth for the filing of articles of incorporation of a corporation having the same amount of capital stock, as is provided for by the articles or agreements of consolidation for the new consolidated corporation, created by any such articles or agreement of consolidation; and in fixing the amount of such fees, no credit shall be allowed for fees previously paid by any of the constituent corporations, parties to such consolidation, but the same shall be determined solely by the amount of capital stock of the new corporation created by such articles or agreements of consolidation.

4. For filing the articles of incorporation of any mutual insurance corporation not having a capital stock, or of any other mutual corporation not organized strictly for benevolent or charitable purposes and having no capital stock, or of any corporation organized for any of the purposes mentioned in section 3630 of the Revised Statutes of Ohio, or in the sections supplementary thereto, twenty-five dollars, save and except as hereinafter provided.

5. For filing the articles of incorporation of corporations

Fees to be charged by secretary of state for official services.

formed for religious, benevolent or literary purposes; or of such corporations as are not organized for profit, have no capital stock, and are not mutual in their character; or of religious or secret societies, or of societies or associations composed exclusively of any class of mechanics, express, telegraph, railroad or other employes, formed for the mutual protection and relief of the members thereof and their families exclusively, two dollars.

6. For filing the articles of incorporation of corporations formed for the purposes named in section 3833 of the Revised Statutes, ten dollars; for filing a certificate of the increase of the capital stock of any such corporation, five dollars.

7. For filing a certificate of the reduction of the capital stock of any corporation, five dollars.

8. For filing a copy of the decree of court, changing the name of any corporation, five dollars.

9. For filing a certified copy of the acceptance by any corporation incorporated prior to the adoption of the present constitution, of any of the provisions of the Revised Statutes, five dollars.

10. For filing an amendment to the articles of incorporation of any corporation, twenty cents a hundred words, to be in no case less than five dollars.

11. For filing for a railroad company a certificate of extension of line, a certificate of change of termini, a certificate of the adoption or change of location, a certificate of the intention of the corporation to construct a branch line, or a certificate of change of route, twenty cents a hundred words, to be in no case less than five dollars.

12. For filing a certificate of the extension of purpose, or change of domicile, of any corporation, five dollars.

13. For filing other certificates not herein enumerated, except certificates of election, for filing which no charge shall be made, twenty cents a hundred words, to be in no case less than five dollars.

14. For filing the copy of papers evidencing the incorporation of any municipal corporation, the annexation of territory by any municipal corporation, or the advancement or reduction in grade of any municipal corporation, five dollars, to be paid by the corporation, the petitioners therefor, or their agent.

15. For filing the certificate of subscription required to be filed by section 3244 of the Revised Statutes, two dollars.

16. For filing a name, or names or initials by manufacturers, bottlers and dealers in ginger-ale, seltzer-water, soda-water, mineral-water and other beverages, under the act of April 9, 1880 (77 O. L., 140), five dollars'

17. For making every certificate under the great seal of the state, one dollar.

18. For recording miscellaneous records, papers, or other documents, required by law to be recorded in the office of the secretary of state, twenty cents a hundred words.

19. For making copies of articles of incorporation, and for making copies in other cases, the fees provided for in original section, one hundred and forty-eight of the Revised Statutes shall be charged; and all fees herein established shall be paid into the state treasury as provided in said original section; and the secretary of state shall neither file nor record any of the articles of incorporation, certificates or other papers herein above referred to, unless the fees for filing same are first duly paid.

Fees to be charged by secretary of state for official services.

SECTION 2. Said section 148*a* of the Revised Statutes of Ohio, supplementary to section 148 of said Revised Statutes, passed March 18, 1884, as amended May 15, 1886, is hereby repealed; and this act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[Senate Bill No. 151].

AN ACT

To prevent the introduction of Texas fever among cattle.

WHEREAS, All cattle wintered in the states of Florida, South Carolina, North Carolina, Georgia, Alabama, Mississippi, Louisiana, Tennessee, Arkansas, Texas and the Indian territory, are infected with a germ which renders them capable, except during the frost of winter, of infecting northern cattle with a malady commonly known as "Texas fever," while they show no manifestation of disease; therefore,

The driving of cattle from certain states forbidden during certain months.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That during the months of March, April, May, June, July, August, September and October, no cattle shall be permitted to be driven into this state from any of the above mentioned states orIndian territory, or that shall have been wintered therein, no r shall any person or company bring, or cause to be conveyed into this state by railway or otherwise, any such cattle under said conditions, except as specified in the next section of this act.

Conveyance by railway forbidden, except.

SECTION 2. Any railroad or other transportation company conveying any such cattle through this state during the months aforesaid, will not be permitted to unload the same in this state for any other purpose than to be fed and watered,

Unloading thereof forbidden, except.

and in yards and premises especially provided for that purpose, and into which northern cattle shall not be permitted to enter.

Penalty.

SECTION 3. Any person or corporation that shall bring or cause to be brought or driven into this state, any cattle wintered in the states or territory above mentioned, or to be driven or conveyed otherwise than as herein specified, shall, upon conviction thereof, be fined in any sum not less than one hundred dollars, nor more than one thousand dollars, and shall, moreover, be liable for all damages that may be occasioned on account of other cattle being infected with said disease.

Duty of transportation companies.

SECTION 4. It shall be the duty of all railway and other transportation companies bringing into and unloading in this state cattle, otherwise than as specified in section 2 of this act, during the months above specified, to require a statement to be made in their shipping bills, showing in what state or territory the cattle shipped were wintered; and it shall be the duty of every railroad company bringing into this state cattle, which may unload such cattle for any other purpose than to be fed and watered as specified in section 2 of this act, to leave at the office of such company nearest the point where such cattle may be unloaded, a copy for public inspection of the statement above required, showing where the same were wintered, and any company or corporation neglecting to comply with the provisions of this section, shall, upon conviction thereof, be fined in any sum not exceeding five hundred dollars.

Penalty for violation of such duty.

Proceedings against railway companies hereunder.

SECTION 5. Proceedings against any railway company under this act may be had in any county in this state through which any portion of such company's road may pass, or in which its principal office may be situated, and process may be served by leaving a copy at the office of such company within such county.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[Senate Bill No. 120].

AN ACT

To amend sections 2926 and 2926*v* of the Revised Statutes of the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2926 and 2926*v* be amended to read as follows:

Election precincts in cities of first class, and of first and second grades, second class.

SEC. 2926. In cities of the first and third grades in the first class, and first and second grades in the second class, when six hundred votes or more have been cast at the last preceding election in any ward, or in any precinct in any ward, such ward or election precinct shall be divided by the board of elections hereinafter provided for, into two or more election precincts, so as to limit the number of votes in each ward or precinct to three hundred, as nearly as may be practicable. And from time to time the said board shall re-arrange, sub-divide or combine precincts thereafter as often as it may deem such action necessary. And in cities of the second grade in the first class, the board of elections thereof may divide, combine or re-arrange any ward or election precinct so as to secure the convenience of electors and the prompt and correct conduct of elections.

April and other elections in such cities.

SEC. 2926*v*. The preceding provisions shall extend to the April elections, or any other public elections authorized by law to be held in any city of the first class, or of the first or second grade in the second class, as follows:

Registration therefor.

1. There shall be no general registration, as provided in sections 2926*h* and 2926*i*, except that on Friday and Saturday in the second week before any such election, the registrars for each precinct shall obtain the last preceding registers made by them from the board of elections, and attend at the place in such precinct appointed for the registration of electors, between the hours herein directed for the purpose, and receive applications for registration by such qualified electors residing therein as are not already resistered, and if qualified, shall enter the same in the registers, subject to the same rules and conditions as herein prescribed as to general registration; and on such days shall also perform the same duties as prescribed in section 2926*m*. Between the first day of March and the Thursday in the second week before the April election, the secretary of the board of elections shall be the registering officer, and shall perform the duties required in section 2926*h*, both as to electors who will be absent, and as to affidavits of absentees; and on the days for revisions of the registration, the registrars shall receive affidavits of sick or disabled electors as required in section 2926*i*. The board of elections, may during the week previous to the April election, issue orders for registration, which orders if presented at the meeting for organization held Saturday evening before the April election, shall be received by the registrars and be disposed of as re-

quired in section 2926*m*. And any additions or changes then entered by them in their registers, shall also be made in the duplicate lists of voters, which, after being carefully compared with the registers and [with] each other shall be produced by them, together with the registers of such precinct, at the opening of the polls on the day of election, and then be used, applied and disposed of by the judges in all respects as directed in section 2926*o*.

Organization of board of judges.

2. At seven o'clock in the evening of the Saturday next preceding any such election, the registrars for each and every precinct and the other two judges of election shall meet at the polling place therein appointed for such election, and shall then and there organize as a board of judges and perform the other duties prescribed in section 2926*n*, and in the manner therein directed.

Poll-books.

3. The poll book required by section 2926*q* to be delivered by the judges of election to the clerk of the court of common pleas, shall be addressed by them to the "board of canvassers" of such city, and not of the county, and delivered to the city clerk of such city, and not to the clerk of [the court of] common pleas.

Board of canvassers.

4. The board of canvassers of elections in each such city shall be composed of the said board of elections and of the city clerk of such city. Within four days after the April election in such city, every year, or after any special election, the said "board of canvassers" shall meet at the office of the board of elections of such city, at ten o'clock in the forenoon at the call of the chairman of the said board of elections, and organize by electing a chairman and a secretary; the returns received by the city clerk shall then be produced by him and opened and canvassed by the board of canvassers as prescribed in section 2926*r*, and by law.

Organization; canvassing of returns.

Proceedings when new ward has been created, or ward or precinct altered.

5. Whenever a new ward has been created, or the boundaries of any ward or precincts have been changed after the general registration and before the April election following, it shall be the duty of the board of elections to appoint election officers, re-arrange the voting precincts, provide for registration of electors not already registered, make new registers and certify the registration of registered electors whose voting precinct has been changed, and make all necessary arrangements and regulations for holding elections in such new or altered wards and precincts; provided, that the right of any registered elector to vote shall not be prejudiced by any error in making out the certified lists of registered voters.

SECTION 2. That sections 2926 and 2926*v* be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[Senate Bill No. 116].

AN ACT

To amend section 119 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 119 of the Revised Statutes of Ohio be so amended as to read as follows:

SEC. 119. For the presentment, demand, notice to drawers and indorsers, and instruments of protest of each bill of exchange or promissory note, the notary public shall receive the sum of one dollar and actual necessary expenses incurred in going beyond the corporate limits of any city or village to make such presentment or demand; and for recording each instrument by him required to be recorded, the sum of ten cents for each one hundred words, and no more; and for his services in taking and certifying acknowledgments of deeds, mortgages, liens, powers of attorney and other instruments of writing, and for taking and certifying depositions and affidavits, administering oaths and other official services, he shall receive the same fees as are allowed by law to justices of the peace for like services; and in taking depositions he shall have the same power to compel the attendance of witnesses and to punish them for refusing to testify, which is by law vested in justices of the peace; and all sheriffs and constables in the state are required to serve and return all process issued by such notaries in the taking of depositions. Fees of notaries public.

SECTION 2. That said section 119 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 487].

AN ACT

(Springfield).

To authorize the council of cities of the second class, third grade, to issue bonds for water-works purposes.

Cities, second class, third grade, authorized to issue water-works funds

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second class, third grade, wherein water-works have been or hereafter may be constructed, be and it is hereby authorized and empowered upon the application of the trustees of such water-works, to issue, from time to time, the bonds of such city, for the purpose of enlarging and improving such water-works, supplying the corporation with water, purchasing additional engines and machinery, extending water pipes, constructing additional mains and pipe lines, and of otherwise improving, extending and completing such water-works, as in the opinion of such trustees may be necessary for the best interests of such city, not exceeding in the aggregate fifty thousand dollars, running for such length of time, not exceeding forty years, and bearing such rate of interest, not exceeding six per cent. per annum, payable semi-annually, as such council may determine, which bonds shall be designated water-works bonds, and shall be issued, advertised and sold according to law, and the proceeds of the sale thereof shall be applied exclusively to the purpose for which they are issued.

Levy of tax to pay principal and interest of said bonds.

SECTION 2. For the purpose of paying the interest or the principal and interest of any bonds which may be issued under the authority of this act, the council of such city is hereby authorized and empowered to levy and collect, annually, a tax of sufficient amount, in the usual manner of levying and collecting taxes in the corporation, upon all the taxable property of such city, but not in excess of the aggregate amount authorized to be levied by law.

Question of issuing said bonds to be submitted to a popular vote.

SECTION 3. The bonds provided for by this act shall not be issued by the council of any such city, until it shall have submitted to the electors thereof, at the annual municipal election, the question of the issuing of said bonds and a majority of the electors voting on said question at said election shall have voted in favor of the issuing of such bonds, of the submission of which question at least ten days' notice shall be given by publication in one or more newspapers of general circulation in the corporation; and the electors who favor the issuing of such bonds shall have written or printed on their ballots the words, "Water-works bonds—Yes," and those who oppose the issuing of said bonds shall have written

or printed on their ballots the words, "Water-works bonds—No."

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 251].

AN ACT

To amend section 4940 of the Revised Statutes of Ohio, as amended March 21, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4940 of the Revised Statutes of the state of Ohio, as amended March 21, 1887, be so amended as to read as follows:

SEC. 4940. The commissioners of any county shall cause to be constructed without unnecessary delay, good and sufficient approaches or ways to bridges which have been or may hereafter be erected by them; and they shall contract for the construction thereof in the same manner as is provided by law for contracting for the erection of bridges by county commissioners; and the county commissioners of any county may contract for and purchase such stone, gravel, earth, dirt or other material as may be necessary for the construction of such approaches or ways to such bridges, or for keeping the same in repair; provided, that if the commissioners and the owner or owners of such stone, gravel, earth, dirt or other material can not agree on a price deemed fair and reasonable, like proceedings shall be had and with like effect as are provided by law for the procurement of material by the commissioners in like cases under the two-mile assessment pike law; and the cost of constructing such approaches and procuring such material shall be paid from the bridge fund of the county, on the order of the commissioners; and said county commissioners may, when in their opinion the safety of the public travel requires it, contract for the proper lighting of any of said bridges, the span of which is not less than five hundred feet in length; and the cost of such lighting

Construction of approaches to county bridges.

Purchase of materials.

Appropriation of materials.

Lighting of bridges.

Duty of township trustees.

shall be paid from the bridge fund of the county on the order of the commissioners; but the trustees of the several townships shall cause to be built and kept in repair all bridges and culverts except upon improved and free turnpike roads, when the cost of constructian does not exceed fifty dollars, and shall keep in repair all bridges constructed by the commissioners; provided, however, such repair by said trustees of any such bridge, in any year, shall not exceed ten dollars, and they are authorized to levy a tax for the payment of the same.

SECTION 2. Said section 4940, as amended March 21, 1887, be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage,

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 216].

AN ACT

To amend section 83 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 83 of the Revised Statutes of Ohio be amended so as to read as follows:

Commissions to be issued by governor to certain officers.

SEC. 83. Each judge of the supreme court, court of common pleas, and probate court, state officer, county officer, militia officer, and justice of the peace, and each officer whose office is created by law, and not otherwise provided for, shall be entitled to receive from the governor a commission to fill such office, upon producing to the secretary of state a legal certificate of his being duly elected or appointed. And as soon after any election for county officers or justices of the peace, as the result shall have become officially known to the clerk of the court of common pleas of any county in this state, he shall immediately forward by mail to the secretary of state certificates of the election of such county officers or justices of the peace; and thereupon the governor, upon the filing of such certificates with the secretary of state, shall issue the proper commissions to the county officers or justices

of the peace elected, and forward the same to the clerk of the court of common pleas, who shall deliver the same to such officers.

SECTION 2. Original section 83 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 394].

AN ACT

To amend section 3886 of the Revised Statutes of Ohio, as amended March 24, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3886 of the Revised Statutes of Ohio, as amended March 24, 1884, be so amended as to read as follows:

SEC. 3886. Each city having a population of ten thousand or more, including the territory attached to it for school purposes, and excluding the territory within its corporate limits detached for school purposes, shall constitute a school district, to be styled a city district of the first class; and each district that has heretofore been constituted a city district of the first class shall remain such.

City school districts of first class.

SECTION 2. That said original section 3886, as amended March 24, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 295].

AN ACT

To provide for the labeling and marking of convict made goods, wares and merchandise manufactured by convicts in other states.

Goods made by convicts in other states to be marked before being exposed for sale here.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all goods, wares and merchandise made by convict labor in any penitentiary, prison, reformatory or other establishment in which convict labor is employed, in any state except the state of Ohio, and imported, brought or introduced into the state of Ohio, shall, before being exposed for sale, be branded, labeled or marked, as hereinafter provided, and shall not be exposed for sale, in any place within the state without such brand, label or mark.

In what such mark shall consist; where to be placed.

SECTION 2. The brand, label or mark hereby required shall contain at the head or top thereof the words, "convict made," followed by the year and name of the penitentiary, prison, reformatory, or other establishment in which it was made, in plain English lettering, of the style and size known as great primer Roman condensed capitals. The brand or mark shall in all cases, where the nature of the article will permit, be placed upon the same, and only where such branding or marking is impossible, shall it be placed upon the box or other covering of the same, or be attached to the article as a label. Said brand or mark shall be placed upon the most conspicuous part of the article or its covering, and said label, when used instead of a brand or mark, shall be attached in the most conspicuous place.

Selling or having such goods for sale unmarked; penalty.

SECTION 3. It shall not be lawful for any person dealing in this state, in any such convict made goods, wares or merchandise, manufactured in any state except the state of Ohio, to have the same in his possession for the purpose of sale, to offer the same for sale without the brand, mark or label required by this act, or to remove or to deface such brand, mark or label. Any person offending against the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding ten hundred dollars, or be imprisoned for a term not exceeding twelve months, or both, in the discretion of the court.

SECTION 4. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker [pro tem.] of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 215].

AN ACT

To amend section six of an act for the establishment of an agricultural experiment station, passed April 17, 1882 (O. L. 79 v., 113), and amended April 18, 1883 (O. L., 80 v., 171).

Agricultural experiment station:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six of an act entitled "an act for the establishment of an agricultural experiment station," passed April 17, 1882, and amended April 18, 1883, be amended so as to read as follows:

Salary of director.

SEC. 6. The director's salary shall be fixed by the board of control in proportion to the amount of service required and performed, and shall be paid out of the funds appropriated by congress, in such installments as may be determined by them. The members of the board of control shall be paid their actual expenses while on duty, but no compensation shall be allowed them for time or services.

Expenses of members of board of control.

SECTION 2. Said original section six, as amended, be and the same is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

NOAH H. ALBAUGH.
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 39].

AN ACT

To amend section 4074 of the Revised Statutes of Ohio, as amended April 5, 1882, relating to teachers' certificates, making an examination in physiology and hygiene essential.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4074 of the Revised Statutes of Ohio, as amended April 5, 1882, be amended to read as follows:

School certificates.

SEC. 4074. No person shall be employed as a teacher in a common school who has not obtained from a board of examiners, having competent jurisdiction, a certificate of good moral character, and that he or she is qualified to teach orthography, reading, writing, arithmetic, geography, English grammar, history of the United States, elementary physiology,

and hygiene, and possesses an adequate knowledge of the theory and practice of teaching, and if required to teach other branches, that he or she has the requisite qualifications; but persons who desire or are expected to teach only special studies, such as music, drawing, painting, penmanship, gymnastics, German, or French, or any one of them, may be examined in regard to such study or studies only, and having obtained a certificate of qualification therein, and of good moral character, may be employed to teach such study or studies.

SECTION 2. That section number 4074 of the Revised Statutes of Ohio, as amended April 5, 1882, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after January 1st, 1889.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro. tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 335].

AN ACT

amend section 6454 of the Revised Statutes of Ohio, as amended January 24, 1888.

Concurrent criminal jurisdiction of probate court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6454 of the Revised Statutes of Ohio, as amended January 24th, 1888, be amended so as to read as follows:

In what counties.

SEC. 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors and in all proceedings to prevent crime in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Dela-

ware, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, Warren, Pickaway, Seneca, Ross, Butler and Huron.

SECTION 2. That section 6454, as amended January 24th, 1888, be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No 332].

AN ACT

To amend section 1656 of the Revised Statutes of Ohio, as amended March 19, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1656 of the Revised Statutes of Ohio, as amended March 19, 1887, be so amended as to read as follows:

SEC. 1656. In cities of the first grade of the first class, the board of aldermen shall consist of thirty members to be elected by districts, to serve for the term of four years; and for the purpose of electing such aldermen such cities shall be and are hereby divided into five districts, as follows: The territory comprised within the first, second, third, fourth, twenty-sixth and twenty-seventh wards shall constitute the first district.

Cincinnati board of aldermen.

Aldermanic districts.

The territory comprised within the fifth, sixth, seventh, eighth, ninth and tenth wards shall constitute the second district.

The territory comprised within the eleventh, twelfth, twenty-fourth, twenty-fifth, twenty-eighth and thirtieth wards shall constitute the third district.

The territory comprised within the thirteenth, fourteenth, fifteenth, sixteenth, twenty-second and twenty-third wards shall constitute the fourth district; and the territory comprised within the seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-ninth wards shall constitute the fifth district (82 v. 111, and 84 v. 125).

Elections in districts changed by this act.

And in said cities of the first grade of the first class there shall be no election for members of the board of aldermen to represent the districts as changed by this act, until the expiration of the respective terms of the present members of the board of aldermen, and the present members shall serve for the full term for which they were elected, representing the district for which they were elected as changed by this act.

Cleveland board of aldermen.

In cities of the second grade of the first class, the board of aldermen shall consist of fifteen members, to be elected by districts, to serve for the term of two years; and for the purpose of electing such aldermen, such cities shall be and are hereby divided into three districts, as follows:

The territory comprised within the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and twenty-fourth wards shall constitute the first district.

Aldermanic districts.

The territory comprised within the eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fifth, twenty-sixth and twenty-seventh wards, shall constitute the second district.

The territory comprised within the twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth and fortieth wards shall constitute the third district.

Elections.

And in said cities of the second grade of the first class, at the first annual municipal election to be held after the passage of this act, and biennially thereafter, said board of aldermen shall be elected by the electors in their respective districts, and the present board of aldermen, in cities of the second grade of the first class, shall continue in office until new boards, as herein provided, shall be elected and qualified.

SECTION 2. That said section 1656 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

Speaker pro tem. of the House of Representatives.
NOAH H. ALBAUGH.

THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 85].

AN ACT

Fixing the salary of the judge of the court of common pleas of the second judicial district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any judge of the court of common pleas of the second judicial district, who resides in Butler county, shall receive, in addition to the salary payable out of the state treasury, the sum of not more than fifteen hundred ($1,500.00) dollars per annum, to be fixed by the commissioners of said county, and to be paid out of the county treasury, upon the warrant of the county auditor, in the same manner and at such times as is provided for the payment of the salary of the said judge out of the state treasury; and when the salary is once fixed by the county commissioners it shall not be increased or diminished during the residue of the term of the office of said judge.

Salary of Butler common pleas judge.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 334].

AN ACT

To supplement an act entitled, "an act supplementary to section 2559 of the Revised Statutes of Ohio," passed March 21, 1887 (O. L., 84, p. 243).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following paragraph be enacted as supplementary to an act entitled, "an act supplementary to section 2559 of the Revised Statutes of Ohio," passed March 21, 1887, with numbering as follows:

Cincinnati city hall:

16. To provide additional funds for the purposes of appropriating property for the purpose of such city hall, and for completing the same, the board of public affairs of such city shall issue the bonds of such city in an amount not to exceed the sum of three hundred thousand dollars ($300,000), in the manner, on the terms, and under the conditions pro-

Issue of additional bonds therefor.

Question of such issue to be submitted to a vote.

vided in paragraph twelve hereof. Provided, that no bonds shall be issued as authorized herein, before the same shall have first been submitted to the vote of the qualified electors of such city, at the next regular city election; and it shall be the duty of the mayor of such city, to cause notice to be given of the holding of such election, for a period of ten (10) days, in two newspapers of general circulation in such city. And it shall require a majority of all the votes cast at such election, before such bonds may be issued.

SECTION 2. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 399].

AN ACT

To authorize the erection and maintenance of toll gates within the boundaries of towns or villages, having a population at the last federal census in 1880 and which at any subsequent federal census may have a population of 334.

Erection of toll gates in Flushing, Belmont county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever any municipality, which by the federal census of 1880 had, and which by any subsequent federal census may have, a population of 334 and no more, the municipal corporation may, by a vote of two-thirds of the electors of said corporation, at an election called for such purpose, authorize the erection or maintenance of a toll gate or toll gates within the boundaries of said village, at such point or points, and under such restrictions as the council of such corporation may by ordinance direct.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F, DAVIS,
President pro. tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 246].

AN ACT

To amend section 5933 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5933 of the Revised Statutes of Ohio be amended so as to read as follows:

Contest of will must be made within two years, except, etc.

SEC. 5933. If no person interested shall, within two years after probate had, appear and contest the validity of the will, the probate shall be forever binding; saving, however, to infants, and persons absent from the state, or of insane mind, or in captivity, the like period, after the respective disabilities are removed.

SECTION 2. Said original section 6933 [5933?] is hereby repealed.

SECTION 3. This act shall take effect from and after the day of its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 78].

AN ACT

To provide for the collection of information relative to accidents occurring in the workshops and factories of the state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of all manufacturers of the state, to forward by mail to the chief inspector of workshops and factories, at Columbus, a report of each and every serious accident resulting in bodily injury to any person which may occur in their establishment, giving particulars of the same as fully as can be ascertained, upon blanks which shall be furnished by the chief inspector of workshops and factories. If death shall result to any employe from any such accident, said report shall contain the age, name, sex and employment of the deceased, whether married, the number of persons, if any, deprived of support in consequence thereof, and the cause of the accident, if known. If the accident has caused bodily injury of such a nature as to prevent the person injured from returning to his or her employment within six or more days after the occurrence of the accident, then the report shall contain the age, name, sex and

Manufacturers to report certain accidents to chief inspector of workshops.

employment of the disabled, the nature and extent of the injury received, how caused, if known, how long continuously disabled, loss of time and wages therefrom, and if possible the expenses thereby incurred in full.

Penalty for failure to so report.

SECTION 2. That any manufacturer who shall fail to comply with the requirement of this act in each case of death by accident within seven days thereafter, and in each case of injury by accident within thirty days thereafter, shall be fined in any sum not less than ten dollars nor more than fifty dollars.

The term "manufacturer" defined.

The term manufacturer, as applied in section 1 and in section 2 of this act, shall be held to mean, any person who, as owner, manager, lessee, assignee, receiver, contractor, or who, as agent of any incorporated company, makes or causes to be made any kind of goods or merchandise, or who owns, controls, or operates any street railway, laundrying establishment, or is engaged in the construction of buildings, bridges or structures, or in loading or unloading vessels, or cars, or moving heavy materials, or operating dangerous machinery, or in the manufacture or use of explosives.

SECTION 3. It shall be the duty of the chief inspector of workshops and factories, to supply all blanks necessary to make said reports, as required in this act, and to prosecute all violations of this act when the same shall come to his knowledge; provided, that the furnishing of said blanks shall be a condition precedent to prosecution in any case.

SECTION 4. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem of the Senate.

Passed March 21, 1888.

[House Bill No. 618].

AN ACT

To amend section 2463 of the Revised Statutes of Ohio.

Cleveland fire department:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2463 of the Revised Statutes be so amended as to read as follows:

Appointment of executive officers and employes.

SEC. 2463. The board may appoint an executive officer who shall be known as the chief of fire department, who shall have the active management of the department in service, and such number of assistants as may be deemed necessary, who shall serve during good behavior, and not be re

moved except for the causes hereinafter mentioned for the removal of other officers, and after hearing and trial before the board; and they shall also appoint such other officers and employes as may be necessary for the efficient management of the department, who shall hold their positions until removed by death, resignation, or for incompetency, inefficiency, permanent disability, insubordination, or violation of any of the rules or regulations of the department; but no member shall be appointed or removed on account of his religious or political opinions; and they shall allow a leave of absence of twelve days, in each year to each officer and member of the department, and without loss of pay.

Terms, removals, etc.

Annual leave of absence.

SECTION 2. That original section 2463 is hereby repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[Senate Bill No. 235].

AN ACT

To authorize the election of one additional judge in the second sub-division of the ninth judicial district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be elected in the second sub-division of the ninth judicial district of Ohio, composed of of the counties of Mahoning, Trumbull and Portage, by the electors thereof, under and in pursuance of the general election laws of the state of Ohio governing the election of judges of the court of common pleas, at the township election on the first Monday in April, A. D. 1888, one judge of the court of common pleas, in addition to the two judges heretofore provided for by law for said sub-division of said ninth judicial district. Said additional judge shall be elected for the term of five years; his term of office shall begin on the fourth Monday of April, A. D. 1888, and he shall have all the powers and be subject to all the obligations, and shall perform all the duties pertaining to said office of judge of the court of common pleas. He shall receive the same compensation as other common pleas judges, and vacancies, if any occur in his office, shall be filled as provided by law in such cases.

Election of additional judge in second sub-division, ninth district.

Conduct of such election.

SECTION 2. At said election, on the first Monday in April, A. D. 1888, for additional judge, a separate ballot shall be voted by each elector, and they shall be deposited in a separate ballot-box by the judges of said election at each election precinct therein; and separate poll-books and tally-sheets shall be kept for said election of such additional judge. One of each of said poll-books and tally-sheets shall be returned to the clerk of the court of common pleas of the county in which said several precincts are situated, and said clerks of the court of common pleas in said counties shall make and transmit abstracts as in other cases of the election of judges of the court of common pleas.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON.
President of the Senate.

Passed March 22, 1888.

[House Bill No. 506].

[Springfield.]

AN ACT

To authorize the council of cities of the second class, third grade, to issue bonds for street improvement.

Cities second class, third grade, authorized to issue street improvement bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second class, third grade, two-thirds of the whole number of members elected thereto, concurring and declaring the same to be necessary, be and it is hereby authorized and empowered to issue bonds of said city for the purpose of paying such part of the cost and expense of paving its streets, as to the council may seem equitable and just, not exceeding in the aggregate twenty-five thousand dollars, running for such length of time, not exceeding twenty years, and bearing such rate of interest, not exceeding six per cent. per annum, payable semi-annually, as such council may determine, which bonds shall be designated street improvement bonds, and shall be issued, advertised and sold in the manner provided by law, and the proceeds of the sales thereof shall be applied exclusively to the purpose for which they are issued.

Levy of tax to pay bonds and interest.

SECTION 2. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act, as they mature, respectively, the council of

such city is hereby authorized and empowered to levy annually, upon all the taxable property within such city, not to exceed one-half of one mill in any one year, upon each dollar of the valuation thereof.

Question of their issue to be submitted to popular vote.

SECTION 3. The bonds provided for by this act shall not be issued by the council of any such city, the total bonded indebtedness of which, at the time it desires to issue such bonds, amounts to eight per cent. of the valuation of the taxable property of such city on the duplicate for the preceding year, and in no event shall such bonds be issued until council shall have submitted to the electors of such city, at the annual municipal election next after the passage of this act, the question of the issuing of such bonds, and a majority of the electors voting on said question at such election shall have voted in favor of the issuing of said bonds, of the submission of which question, at least ten days' notice shall be given by publication in one or more newspapers of general circulation in the corporation; and the electors who favor the issuing of said bonds shall have written or printed on their ballots the words, "Street improvement bonds—Yes;" and those who oppose the issuing of such bonds shall have written or printed on their ballots, the words, "Street improvement bonds—No."

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 625].

AN ACT

To provide for the election of two members of the board of education from each ward in all cities which at the last federal census had, and at any subsequent census may have, a population of eight thousand and eight hundred and fifty-seven.

Ironton board of education.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities which at the last federal census had, or at any subsequent federal census may have, a population of eight thousand, eight hundred and fifty-seven, the board of education of such cities shall consist of two members from each ward, who shall have the qualifications of electors therein; provided, however, that the members of the present board of education, whose time does not expire at the next annual election for members of the board of edu-

cation, shall continue as members of the board from the wards in which they reside, until the annual election of members on the first Monday in April, 1889, and until their successors are elected and qualified.

Election of members in 1888.

SECTION 2. At the next annual election for members of the board of education succeeding the passage of this act, two members shall be elected from the first ward, one for one year and one for two years; from the second ward, one for two years; from the third ward, one for two years; from the fourth ward, one for one year and one for two years; from the fifth ward, one for two years; from the sixth ward, one for one year and one for two years, each to serve for the term specified or until his successor is elected and qualified. Provided, that at least five days' notice shall be given of said election.

Annual elections thereafter.

SECTION 3. On the first Monday in April, 1889, and annually thereafter, there shall be elected from each ward one member of the board of education to serve for two years or until his successor is elected and qualified, of which elections the usual legal notice of the same shall be given.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[House Bill No. 385].

AN ACT

To supplement section 1632 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1632 of the Revised Statutes of Ohio be supplemented as follows:

Judges of election in municipalities newly divided into wards.

SEC. 1632*a*. At the first election held in a city or village after said city or village has been, or hereafter may be, divided into wards, the members of the council residing in each ward shall be judges of election in the ward in which they respectively reside, unless there are more than three councilmen in any one ward; and if there are more than three councilmen in one ward, the council shall appoint three councilmen, resident of said ward, who shall be judges of said election. If there be no councilmen, or less than three councilmen residing in any ward, the council shall appoint the councilman

or councilmen residing in such ward or wards, respectively, and such other person or persons as they may think best, who are residents of said wards, respectively, so that there shall be three judges at each ward to act as judges of elections of said wards. Said persons shall act as judges until after the next municipal election succeeding the division of said city or village into wards. The mayor shall forthwith cause notice to be given to each person so appointed, and the person so appointed shall take the same oath of office, be subject to the same requirements, penalties, liabilities and disqualifications, and entitled to the same compensation as other judges of election; the council shall designate and appoint two clerks of election for each ward, of opposite politics, who shall take an oath of office and shall perform all the duties and be subject to all the liabilities as other clerks of elections; and if any such judges or clerks fail to attend at the proper time and place, such judges and clerks, and all additional judges and clerks, shall be chosen by the electors of the ward.

Clerks of election.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[House Bill No. 219].

AN ACT

For the protection of railroad employes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That every railroad corporation operating a railroad or part of a railroad in this state, shall, before the first day of October, in the year eighteen hundred and eighty-eight, adjust, fill or block the frogs, switches and guard-rails on its track, with the exception of guard-rails on bridges, so as to prevent the feet of its employes from being caught therein. The work shall be done to the satisfaction of the railroad commissioner.

Blocking of railway frogs, guard-rails, etc.

SECTION 2. Any railroad corporation failing to comply with the provisions of this act, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

Penalty for failure so to do.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[House Bill No. 161]

AN ACT

To amend sections 290, 292, 293 and 295 of the Revised Statutes of Ohio.

Inspector of mines:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 290, 292, 293 and 295 of the Revised Statutes of Ohio, as amended March 4, 1884 (81 v., 153), be and the same are hereby amended so as to read as follows:

Appointment of chief and district inspectors; who elegible.

SEC. 290. For the purpose of facilitating an efficient and thorough inspection of mines in Ohio, and to provide an adequate inspecting force therefor, the governor shall appoint, by and with the consent of the senate, one chief inspector, who, with the approval of the governor, shall appoint five district inspectors of mines; the chief inspector shall hold his office for the term of four years, and the district inspectors shall hold their office for the term of three years, from the date of their appointment, and until their successors are appointed and qualified; the first appointments hereunder shall be made within thirty days from the date when this act shall take effect; and in case of the resignation, removal, or death of the chief inspector, or any district inspector, the vacancy shall be filled in the manner above provided for original appointments for the unexpired term only, of the position so made vacant. No person shall be appointed chief inspector of mines unless he is possessed of a competent knowledge of chemistry, the geology of Ohio, and mineralogy, in so far as those sciences relate to mining, and has a practical knowledge of mining engineering, and the different systems of working and ventilating mines, and the nature and properties of the noxious and poisonous gases of mines, particularly fire-damp, and of the best means of preventing and removing the same; and no person shall be appointed district inspector of mines unless he be a practical miner of at least five years' experience, and a resident of the district for which he is appointed, for at least two years, and is possessed of a practical knowledge of the best mode of working and ventilating mines, of the means of detecting the presence of bad or foul air, noxious and poisonous gases, and of the best means of preventing and removing the same.

Their powers and duties.

SEC 292. The chief inspector and district inspectors shall give their whole time and attention to the duties of their offices, respectively; it shall be the duty of the district inspectors to examine all the mines in their respective districts as often as possible, to see that all the provisions and requirements of this chapter are strictly observed and carried out; they shall particularly examine the works and machinery belonging to any mine, examine into the state and condition of the mines as to ventilation, circulation and condition of air, drainage and general security; they shall make a record of all examinations of mines in their respective districts, showing the date when made, the condition in which the

mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries received, or deaths, in or about the mines, the number of mines in their respective districts, the number of persons employed in or about each mine, together with all such other facts and information of public interest concerning the condition of mines, development and progress of mining in their respective districts, as they may think useful and proper, which record shall, on or before the first Monday of every month, be filed in the office of the chief inspector, to be by him recorded, and so much thereof as may be of public interest, to be included in his annual report; in case of any controversy or disagreement between a district inspector and the owner and [or?] operator of any mine, or the persons working therein, or in case of conditions of emergencies requiring counsel, the district inspector may call on the chief inspector for such assistance and counsel as may be necessary; should the district inspector find any of the provisions of this chapter violated, or not complied with, by any owner, lessee, or agent in charge of any mine, he shall immediately notify such owner, lessee, or agent in charge, of such neglect or violation, and unless the same is, within a reasonable time, rectified, and the provisions of this chapter fully complied with, he shall institute a prosecution under the provisions of section six thousand eight hundred and seventy-one (6871) of the Revised Statutes. The inspectors shall exercise a sound discretion in the enforcement of the provisions of this act, and if in any respect (which is not provided against by, or may result from a rigid enforcement of any express provisions of this chapter,) the inspector find any matter, thing or practice in or connected with any such mine, to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, the inspector may give notice in writing thereof to the owner, agent or manager of the mine, and shall state in such notice the particulars in which he considers such mine, or any part thereof, or any matter, thing of [or?] practice to be dangerous or defective, and require the same to be remedied. For the purpose of making the inspection and examinations provided for in this section, the chief inspector and the district inspectors shall have the right to enter any mine at all reasonable times, by night or by day, but in such manner as shall not unnecessarily obstruct the working of the mine; and the owner or agent of such mine is hereby required to furnish the means necessary for such entry and inspection; the inspection and examination herein provided for shall extend to fire-clay, iron ore, and other mines, as well as coal mines.

Their powers and duties.

SEC. 293. The chief inspector shall designate the counties or portions thereof in the state which shall compose the different districts, and may at any time change the same, when in his judgment the best interests of the service may

Districts, how made and changed.

Rules for district inspectors.

require, and shall issue such instructions, make such rules and regulations for the government of the district inspectors, not inconsistent with the powers and duties vested in them by law, as shall secure uniformity of action and proceedings throughout the different districts; and he may order one

Power of chief over district inspectors.

district inspector to the assistance of any other district inspector, or make temporary transfers of district inspectors, when, in his judgment, the efficiency or necessity of the service demands or permits; and he may, with the consent of the governor, remove any district inspector at pleasure; the district inspectors are hereby invested with all the powers and authority of county auditors, as sealers of weights and

Their powers as sealers of weights and measures.

measures in the different counties of this state, and for any services performed as such sealers they shall receive the same compensation as now provided by section ten hundred and sixty-two [1062] of the Revised Statutes; but said inspectors shall exercise said authority in connection with weights and

Special duties of chief inspector.

measures only at mines in their respective districts; the chief inspector shall render such personal assistance to the district inspectors as they, from time to time, may require, and shall make such personal inspection of the mines as he may deem necessary and his other duties will permit; he shall keep in his office and carefully preserve all maps, surveys and other reports and papers required by law to be filed with him, and so arrange and preserve the same as shall make them a permanent record of ready, convenient and connected reference; he shall compile and consolidate the reports of district

His reports.

inspectors, and annually make report to the governor of all his proceedings, as well as those of the district inspectors, the condition and operation of the different mines of the state, and the number of mines and the number of persons employed in or about such mines, the amount of coal, iron ore, limestone, fire-clay, or other mineral mined in this state; and for the purpose of enabling him to make such report, the owner, lessee or agent in charge of such mine, who is engaged in mining, and the owner, lessee or agent of any firm, com-

Mining operators to make certain reports to him.

pany or corporation in charge of any fire-clay, or iron ore mined [mine?] or any limestone, or quarry, or who is engaged in mining or producing any mineral whatsoever in this state, shall, on or before the 31st day of January in every year, send to the office of the chief inspector of mines, upon blanks furnished by him, a correct return specifying with respect to the year ending on the preceding 31st day of December, the quantity of coal, iron ore, fire-clay, limestone, or other mineral product in such mine, or quarry, and the number of persons ordinarily employed in or about such mine, or quarry, below and above ground, distinguishing the persons and labor below ground and above ground. Every owner, lessee or agent of

Penalty for their failure to make such reports.

a mine or quarry who fails to comply with this section, or makes any return which to his knowledge is false in any particular, shall be deemed guilty of an offense against this section, and shall be fined one hundred dollars, to be recovered at the suit of the chief inspector in the name of the state of

Ohio; he shall also include in such report such facts relative to the mineral resources of the state, and the development of the same, as shall, in his judgment, be of public interest; he shall enumerate all accidents, and the manner in which they occurred, in or about the mines, and give all such other information as he thinks useful and proper, and make such suggestions as he deems important relative to mines and mining, and any other legislation that may be necessary on the subject for the better preservation of the life and health of those engaged in such industry.

Matters to be included in report of chief inspector.

SEC. 295. There shall be provided for the inspectors weights and measures and all instruments and chemical tests necessary for the discharge of their respective duties under this chapter, which shall be paid for on the certificate of the chief inspector, from his contingent fund, and shall belong to the state.

Instruments, etc., to be furnished inspectors.

SECTION 2. Sections 290, 292, 293 and 295, as amended March 4, 1884, be and are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after the first day of May, 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 190.]

AN ACT

Making appropriation to re-uniform and equip the Fourteenth Regiment, Ohio National Guard, and for the relief of the regimental and company officers of said regiment.

WHEREAS, On the 12th day of January, 1888, the Fourteenth Regiment, Ohio National Guard, lost by fire their regimental armory, and camp and garrison equipage, and the four Columbus companies of said regiment all of their uniforms, arms, equipments and company property, exceeding in value the sum of twenty thousand dollars ($20,000); and

Appropriation for the relief of the 14th regiment, O. N. G.

WHEREAS, The officers of said regimental and company organizations lost by said fire a greater part of their fatigue and dress uniforms and equipments, aggregating in value the sum of nine hundred and thirty-nine dollars and sixty cents ($939.60); therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of six thousand, nine hundred and ninety-seven dollars and seventy

cents ($6,997.70), to re-uniform and equip said (Fourteenth) regimental and company organizations; said sum to be expended by the adjutant-general, and all military supplies purchased therewith to be the property of the state, and to be issued and accounted for according to law.

SECTION 2. That there be, and is hereby appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of nine hundred and thirty-nine dollars and sixty cents ($939.60) for the relief of the officers of said regimental and company organizations; said sum to be apportioned in accordance with the report of a board of survey, to be appointed by the governor.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 646].

AN ACT

To provide for an additional sum to complete and further improve fair grounds for the use of county agricultural associations.

Completion and improvement of the Hamilton county fair grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county of the state containing a city of the first grade of the first class, and having an agricultural society, organized under the laws of the state, the boards of directors of such agricultural society, whenever they deem it necessary to complete and further improve the fair grounds, used by such society, shall, at a general meeting of said board, by a vote of at least two-thirds of all the members thereof, upon a call of the yeas and nays, pass a resolution for the purpose of securing the benefit of this act, declaring such necessity; and said board of directors shall then, within thirty days from the passage ot said resolution, give notice, in writing, to the county commissioners of the county containing such fair grounds, of the necessity for completing and further improving the fair grounds, under the absolute control of such society, which notice shall contain or have annexed thereto, a certified copy of said resolution, and shall be signed by the president and secretary of said board of directors.

SECTION 2. That after the filing of such notice the said county commissioners shall proceed to complete and further improve the fair grounds in use by such society, within a reasonable time, not to exceed four months, in such manner as the board of directors of such society may direct, but the total cost of said improvements, when completed, shall not exceed ten thousand ($10,000) dollars.

Duty of county commissioners.

SECTION 3. That the payment for said completion or further improvements shall be made by said county commissioners from any unappropriated funds in the county treasury at the time said payments are to be made, and if no such funds are in the county treasury at such times, then said county commissioners are hereby directed to issue the bonds of said county for such amounts as may be necessary for such improvements, not to exceed the amount provided for in section second of this act. Such bonds to bear interest at five per centum per annum, and to be payable at the office of the county commissioners at such time, not to exceed ten years from the date thereof, as said county commissioners shall determine; and to provide for the payment of the said bonds, the said county commissioners are hereby directed to levy such annual tax on all taxable property of the county, as may be necessary therefor. Said levy shall be collected and accounted for as other county taxes are by the proper county officers.

Payment for said completion and improvements, how made.

SECTION 4. That where the title to the ground and improvements occupied by agricultural societies in counties containing a city of the first grade of the first class is vested in the county commissioners, the control, management and leasing of such lands and improvements shall be vested absolutely in the board of directors of such agricultural society while the same are being occupied by such society for holding agricultural fairs, and the money realized from rents or leasing of said grounds and buildings, shall go into the treasury of said society, to be used as a fund for keeping grounds, fences and buildings in good repair, and such other improvements as may be deemed necessary to be made by the agricultural board.

Management and control of such fair grounds.

Application of rents.

SECTION 5. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 464.]

AN ACT

To authorize the issuing of bonds and levying of special assessments to pay for laying water pipes in municipal corporations, situated in counties containing a city of the second grade of the first class.

Issue of bonds to lay water pipes in municipalities in Cuyahoga county, except Cleveland.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in municipal corporations, situated in counties containing a city of the second grade of the first class, except in such city, whenever a petition subscribed by three-fifths in frontage interests of the owners of property bounding or abutting upon any street or highway of any description, between designated points, is presented to the council, requesting the laying of water pipes or mains in such street or highway, between such points, the council is hereby authorized to issue the bonds of the corporation, bearing interest at a rate not exceeding six per centum per annum, from the date of issue, payable semi-annually, for the purpose of paying the assessment upon the lots and lands, bounding or abutting upon the street or highway wherein such water-pipes or mains may be laid between the points designated, by the foot front or according to the valuation of the same on the tax duplicate, or according to benefits as the council by ordinance may determine, not to exceed twenty-five per centum of the actual value of the lots or lands after the water pipes or mains are laid.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 90.]

AN ACT

Amendatory of and supplementary to section 6980 of the Revised Statutes of Ohio.

Railways:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6980 of the Revised Statutes of Ohio be amended and supplemented as herein provided, and with sectional numbering as follows:

Penalty for violation by engineers of certain duties at or near crossings.

SEC. 6980. A person in charge of a locomotive engine upon any railroad, who fails to bring the engine with the train, if any thereto attached, to a full stop at least two hundred feet before arriving at any railroad crossing or connection, or crosses the same before signaled by the watchman

to cross, or before the way is clear; or, when approaching any railroad [road ?] crossing, fails to sound the engine whistle at a distance of not more than one hundred nor less than eighty rods from such crossing, or to ring the engine bell continuously from the place aforesaid until the engine and cars attached thereto shall have passed such road crossing, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both; or if, by reason of a violation of this section, any person be killed, the person in charge of such engine shall be deemed guilty of manslaughter and punished accordingly; or if a person sustain bodily injury not producing death, the person in charge of such engine shall be imprisoned not more than twenty months nor less than one month, or fined not more than five hundred dollars. It is provided further, except in cities of the first grade of the second class, that any person who permits any car or locomotive of which he has charge to remain upon or within thirty feet of the center, or across any public road, street or alley, for a period longer than five minutes, or places any timber or other obstruction upon or across any such road, street or alley, to the hinderance or inconvenience of travel thereon, shall be fined not more than twenty nor less than five dollars.

Obstruction of highways outside of Columbus.

SEC. 6980*a*. It shall not be lawful, in cities of the first grade of the second class, for any railroad company, superintendent, agent, or other employe thereof, either directly or indirectly, to obstruct, use or occupy any street or other public highway with any locomotive, car, cars, or train, by permitting or suffering such locomotive, car, cars or train to remain upon or across such street or other public highway, or any part thereof, or by coupling, switching or shifting of locomotives, cars or trains, or the making up of trains upon or across such street or other public highway, or any part thereof, or by moving or stopping long freight trains upon or across the same, for a period longer than two minutes at one time; and whenever any such street or other public highway has been thus obstructed, used or occupied, it shall not be lawful for any railroad company, superintendent, agent or other employe thereof, either directly or indirectly, to so obstruct, use or occupy the same or any part thereof for a period of ten minutes thereafter; and any railroad company, or companies, so using such street or other public highway, during said period of two minutes, shall provide and maintain suitable bars or gates, and watchmen at such street or other crossings, to secure and warn the public against the dangers attending such use; and if any railroad company, superintendent, agent or other employe thereof shall, either directly or indirectly, obstruct, use or occupy such street or other public highway in violation of the aforesaid provisions and prohibitions of this section, or shall procure, direct, aid, or abet in any such violation, he or they shall be fined not more than one hundred nor less than twenty dollars, or imprisoned not more than thirty days, or both; and if, within a period of five years thereafter, and within four hundred feet

Unlawful use or occupation of highways by railway companies in Columbus.

on and along such street or other public highway in either direction from the railroad track or switch where the first offense was committed, any railroad company, superintendent, agent or other employe thereof, again violates any of the aforesaid provisions and prohibitions of this section, or procures, directs, aids or abets in any such violation, such company, superintendent, agent or other employe, shall, for each and every other violation of the aforesaid provisions and prohibitions of this section, be subjected to both double fine and imprisonment, as provided in this section; and if, by reason of a violation of this section, any person be killed, the person or persons so directly or indirectly guilty thereof, or of so procuring, directing, aiding or abetting in such violation, shall be deemed guilty of manslaughter, and punished accordingly; or if death does not result therefrom, but the person sustains great bodily injury, the person or persons so directly or indirectly guilty, or of procuring, directing, aiding or abetting in such violation, shall be imprisoned not more than fifteen months nor less than three months, or fined not more than five hundred nor less than one hundred dollars. It is further provided, that after the expiration of said period of ten minutes, any railroad company, other than the one last using such street or other public highway, shall have the first right to use or occupy the same for a period not to exceed two minutes; and provided further, that nothing herein shall be so construed as to affect or interfere with the arrival and departure of regular railroad trains moving on and across such street or other public highway at a rate of speed not to exceed six miles per hour.

SECTION 2. That said original section 6980 of the Revised Statutes of Ohio, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after April 1st, 1888.

NOAH H. ALBAUGH.
Speaker pro tem. of the House of Representatives,
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 308].

AN ACT

To amend sections 3878 and 3880 of the Revised Statutes.

Companies for transportation of natural gas, oil or water:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections numbered thirty-eight hundred and seventy-eight and thirty-eight hundred and eighty shall be and are hereby so amended as to read as follows:

SEC. 3878. A company organized for the purpose of transporting natural gas, petroleum or water through tubing and pipes, may enter upon any land for the purpose of examining and surveying a line for its tubing and pipes, and may appropriate so much thereof as may be deemed necessary for the laying down of such tubing and piping, and for the erection of tanks and the location of stations along such line, and the erection of such buildings as may be necessary for the purpose aforesaid; such appropriations shall be made and conducted in accordance with the law providing for compensation to the owners of private property appropriated to the use of corporations; and so far as the rights of the public therein are concerned, the county commissioners as to county and state roads, the township trustees as to township roads, and the council of any municipal corporation as to streets and alleys, in their respective jurisdictions, may, subject to such regulations and restrictions as they may prescribe, grant to such company, the right to lay such tubing and piping therein; provided, however, the right to appropriate for any of the purposes herein above specified, shall not include or extend to the erection of any tank, station or building, or lands therefor, or to more than one continuous line of pipe or tubing or land therefor, in or through a municipal corporation without the council first consents thereto; and all excavations shall be well filled by such company and so kept by it, in all cases; and such company shall, for the purpose of transporting natural gas, oils and water, be considered and held to be a common carrier, and subject to all the duties and liabilities of such carriers under the laws of this state.

Right of eminent domain.

How right to occupy public ways may be acquired.

Filling of excavations.

For what purposes such companies are common carriers.

SEC. 3880. Any such company may transport, store, insure and ship natural gas or petroleum, and transport and store water, for the purpose of furnishing the same to engineers employed in developing for, or in the production and transportation of petroleum, and for that purpose may lay down, construct and maintain the necessary pipes, tubing, tanks, machinery and arrangements.

Further powers of such companies.

SECTION 2. That said original sections 3878 and 3880 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 440].

AN ACT

To amend section 2580 of the Revised Statutes of Ohio, as amended April 12, 1884.

Superintendent of markets:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2580 of the Revised Statutes of Ohio, as amended April 12, 1884, be amended to read as follows:

Appointment of in Toledo.

Election of in Cleveland.

Term; duties, etc.

SEC. 2580. In cities of the first class, except the first and second grades, the superintendent of markets shall be appointed by the mayor, with the assent of the council, which shall prescribe the duties and fix the compensation of such officer; and in cities of the first class, second grade, a superintendent of markets shall be elected at the next municipal election after the passage of this act, and every four years thereafter. The term of office of such superintendent shall be four years; and the council shall by ordinance prescribe his duties and fix his compensation; and said last named superintendent shall appoint all market officers, market janitors and other market employes. As to said office, section 1726 of the Revised Statutes of Ohio shall at the first election after the passage of this act apply only so far as to require the publication of the proclamation therein named at least five days previous to the election.

Sec. 1726 R. S. made partially inapplicable to foregoing election.

SECTION 2. That said section 2580, as amended April 12, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 237].

AN ACT

To amend sections one, three, five and nine of an act entitled "an act providing against the evil ressulting from the raffic in intoxicating liquors," passed May 14, 1886.

Amendments to "Dow law":

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1, 3, 5 and 9 of an act entitled an act providing against the evils resulting from the traffic in intoxicating liquors, passed May 14, 1886, be amended so as to read as follows:

Tax laid on liquor business.

SEC. 1. That upon the business of trafficking in spirituous, vinous, malt, or any intoxicating liquors, there shall be assessed, yearly, and shall be paid into the county treasury, as hereinafter provided, by every person, corporation or co-partnership engaged therein, and for each place where such business is carried on by or for such person, corporation or co-partnership, the sum of two hundred and fifty dollars.

Tax for part of year; refunding orders, when issued.

SEC. 3. That when any such business shall be commenced in any year after the fourth Monday of May, said assessment shall be proportionate in amount to the remainder of the assessment year, except that it shall be in no case less than twenty-five dollars, and the same shall attach and operate as a lien, as aforesaid, at the date of, and be paid within ten days after such commencement; and whenever any person, corporation or co-partnership, engaged in such business, who has been assessed as aforesaid, and who has paid or is charged upon the tax duplicate with the full amount of said assessment, discontinues such business, the county auditor, upon being satisfied of that fact, shall issue to such person, corporation or co-partnership a refunding order for a proportionate amount of said assessment, except that it shall be in no case less than fifty dollars.

Assessors' returns.

SEC. 5. That every assessor shall return to the county auditor, with his other returns, a statement upon a blank to be furnished by such auditor for that purpose, as to every place within his jurisdiction where such business is conducted, showing the name of the person, corporation or co-partnership engaged therein, a brief and accurate description of the premises where the same is conducted, and by whom owned; said statement shall be signed and verified before such assessor by such person, corporation or co-partnership. And if such person, corporation or co-partnership shall, on demand, refuse or fail to furnish the requisite information for such statement, or to sign or verify the same, such fact shall be returned by the assessor, and thereupon such assessment on said business shall be four hundred dollars. And if any assessment aforesaid shall not be paid when due, there shall be added a penalty thereto of twenty per centum, which shall be collected therewith.

Penalties.

Distribution of tax.

SEC. 9. That the revenues and fines resulting under the provisions of this act shall be distributed as follows, to-wit: In every county two-tenths of the money paid as herein provided into the county treasury on account of any business aforesaid carried on in any city, village, hamlet or township, therein shall be placed to the credit of the general revenue fund of the state, and be paid into the state treasury by the county treasurers, as is provided in other cases; six-tenths of the money so paid shall, upon the warrant of the county auditor, be paid on account of any business aforesaid carried on in any such municipal corporation into the treasury of such corporation, one-half to the credit of the police fund, and one-half to the credit of the general revenue fund thereof; provided, in corporations having no police fund, the

entire six-tenths shall be passed to the credit of the general revenue fund thereof. The remaining two-tenths part thereof, together with all other revenues resulting hereunder in said county, shall be passed to the credit of the poor fund of such county; provided, that in all counties in which there is no county infirmary, said remaining two-tenths part thereof shall be passed to the credit of the infirmary fund or the poor fund of the township, village or city in which the same shall have been collected; and in such counties when the money is paid on account of any business carried on in any township outside of any such municipal incorporation, said six-tenths also shall be passed to the credit of the infirmary fund or the poor fund of said township; and provided, that in counties having a city of the first grade of the first class with a city infirmary, the above two-tenths part shall be divided between the city and county infirmary funds, in the proportion of the revenue received from the city to the revenue from the county outside the city.

SECTION 2. That sections one, three, five and nine of the act providing against the evils resulting from the traffic in intoxicating liquors, passed May 14, 1886, are hereby repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[House Bill No. 40].

AN ACT

To provide for the payment of $100 bounty due from the state to George W. Thacker, of Lawrence county, Ohio.

Appropriation to pay bounty due G. W. Thacker.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated from any moneys in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of $100, to pay a bounty due to G. W. Thacker, who was accredited to the state of Ohio at large upon her quota of troops in the late war.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[House Bill No 327].

AN ACT

To amend section 3596 of the Revised Statutes of Ohio.

Life insurance companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 3596 of the Revised Statutes of Ohio be so amended as to read as follows:

What kind of business such companies may do.

SEC. 3596. No company, organized under the laws of this state, shall undertake any business or risk, except as herein provided; and no company, partnership or association, organized or incorporated by act of congress, or under the laws of this or any other state of the United states, or by any foreign government, transacting the business of life insurance in this state, shall be permitted or allowed to take any other kind of risks, except those connected with, or appertaining to making insurance on life or against accidents to persons, and granting, purchasing and disposing of annuities; nor shall the business of life insurance, or life and accident insurance, in this state be in any wise conducted or transacted by any company, partnership or association, which in this state, or any other state or country, makes insurance on marine, fire, inland, or any other risk, or does a banking or any other kind of business in connection with insurance.

SECTION 2. That said original section 3596 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in orce from and after its passage.'

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 199].

AN ACT

To amend section 7084 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 7084 of the Revised Statutes of Ohio be amended so as to read as follows;

Fraudulently obtaining money from insurance companies.

SEC. 7084. Whoever obtains or attempts to obtain from any life or accident insurance company, any sum of money on any policy of life or accident insurance issued by any company in this state, by falsely and fraudulently representing the person insured to be dead; or procures any policy of

insurance to be issued to or in any fictitious or assumed name and falsely represents the fictitious person so insured to be dead, and thereby obtains or attempts to obtain from such company the amount of such insurance or any part thereof; or obtains insurance upon the life of any person not himself actually applying for such insurance; or attempts to obtain insurance upon another life for his benefit at the death of any such person without the knowledge of such person to be insured; or falsely obtains or attempts to obtain from any such company any sum of money upon any policy of such company by means of any false and fraudulent written representation or affidavit, that the person whose life was insured is dead, or that the person insured against accident is injured, shall be imprisoned in the penitentiary not more than fifteen years; provided, that when the thing obtained or attempted to be obtained is a sum of money, and less than thirty-five dollars, the person convicted shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Penalty.

SECTION 2. That said original section 7084 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 351].

AN ACT

To amend section 12 of an act passed February 27, 1885 (O. L., [82,] p. 61), as amended May 19, 1886 (O. L., 83, p. 229).

Ohio penitentiary:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 12 of an act passed February 27, 1885 (O. L., 82, p. 61), as amended May 19, 1886 (O. L., 83, p. 229), be so amended as to read as follows:

Appointment and salaries of officers and other employes.

SEC. 12. It shall be the duty of the warden, with the advice and consent of the board of managers, to appoint the following named officers, whose compensation shall be as follows: deputy warden, twelve hundred dollars per year; the chief clerk, ten hundred dollars per year; secretary of the board, not to exceed fifteen hundred dollars per year; the assistant clerk, at the discretion of the board, not exceeding ten hundred dollars a year; the chaplain, who shall also act as

librarian, not to exceed eight hundred and fifty dollars per year; the steward, twelve hundred dollars a year; the physician, ten hundred dollars a year; the assistant deputy warden, at ten hundred dollars a year; the superintendent of the school, at eight hundred dollars a year, and said superintendent shall be accredited as a guard; the superintendents of the yard, kitchen, state shops and hospital, and officers in charge of the guard-room, not to exceed seventy-five dollars each, a calendar month; the male guards, sixty-five, and the female guards, fifty dollars, each calendar month; provided, each guard shall be allowed not to exceed fourteen days' vacation each year without reduction of pay; superintendents of the different industrial departments may be appointed when necesary to do so, at a salary not to exceed twelve hundred dollars each per year; and the warden may also appoint, as hereinbefore provided, such other officers and employes as may be necessary to carry on the educational, moral and religious features of the institution, each of whom shall receive not to exceed seven hundred and eighty dollars a year. The appointees herein provided for shall be selected for their fitness and qualifications for the positions to which they may be appointed or employed, and shall hold their offices or places for two years or unless [sooner] removed for cause by the warden; provided, further, that one guard, or one of the minor officers shall be appointed from each county until the necessary number is secured. All the appointees herein provided for shall be paid monthly out of the state treasury, on the warrant of the state auditor.

Vacation of guards.

Qualification and term; removals.

One guard from each county; salaries payable monthly.

SECTION 2. That section 12 of an act, passed February 27, 1885 (O. L., 82. p. 61), as amended May 19, 1886 (O. L., 83, p. 229), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 223].

AN ACT

Supplementary to section 2732 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all lands in the State of Ohio on which are situate any pre-historic earth-works, and which have been or may hereafter be purchased by any person, association or company for the purpose of the preservation of said earth-

Public parks containing pre-historic earth-works exempt from taxation.

works, and are not held for profit, but are or shall be dedicated to public uses as pre-historic parks, shall be exempt from taxation.

Rules governing access to such parks; penalty for violation thereof.

SECTION 2. The owners of such pre-historic parks may establish all reasonable rules governing access to said parks; and any person willfully violating such rules or injuring said works, or any structure, trees or plants in said parks, shall be fined in any sum not exceeding fifty dollars, or imprisoned not exceeding sixty days, or both, and shall also be liable to the owners of said parks in a civil action for all damages caused by such person.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 187].

AN ACT

To amend section 709 of [the] Revised Statutes of Ohio.

Discharge of patients from insane asylums:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 709, Revised Statutes, be amended to read as follows:

Patients having homicidal or suicidal propensities; bond.

SEC. 709. On consent and advice of the trustees, the superintendent may discharge any patient from any asylum for the insane, when he deems such discharge proper and necessary; provided, no patient with known homicidal or suicidal propensities, shall be discharged without a bond in the sum of one thousand dollars, with two or more sureties, to the approval of the probate judge of the county of which the patient is an inhabitant, payable to any person who shall be injured in person or property, by any insane act of such discharged person while at large on such discharge, and conditioned to save harmless by paying all damage to such injured person as shall arise in consequence of such insane act, committed by such discharged person.

Incurable and harmless patients; patients with certain propensities not be kept in jails, etc.

Incurable and harmless patients only may be discharged to make room for an acute case from the same county; and no patient, with known homicidal or suicidal propensities, shall be hereafter kept in any county infirmary or jail of the state except temporarily, while awaiting the order for removal to a state asylum for

the insane; when, in the opinion of the superintendent, the condition of any patient at the time of discharge, is such as to justify such action, he may permit such patient to go to his home, or leave the institution unattended; and if such patient is not financially able to bear his own expenses, the superintendent of such institution, may furnish the patient a sufficient sum to pay his traveling expenses, and charge the same to the current expense fund of the institution; such sum in no case shall exceed twenty dollars. In all cases requiring an escort, should neither the patient nor the friends of the patient be financially able to bear the expense of his removal, the superintendent shall give notice to the probate judge of the county of which the patient is an inhabitant, and said probate judge shall forthwith issue his warrant to some suitable person, giving the friends of patients the preference, which warrant shall read as follows:

Discharge of patient unattended; expenses.

Discharged patients requiring an escort.

The State of Ohio, ... County, ss:

Office of the Probate Judge of said County.

Warrant for removal.

The proper authority having directed that ....., a patient from this county in the asylum for the insane, at....., be removed therefrom, you are commanded forthwith to remove said patient, and return him to his home in said state.

Witness my hand and official seal, this ..... day of ....., 18.....

A. B., Probate Judge.

Upon receipt of said warrant, the person to whom it is directed, shall forthwith execute it, and return it to the probate judge by whom it was issued, and said probate judge shall ascertain and fix the allowance to the person executing such warrant for expenses and fees, and certify the same to the county auditor, who shall draw his warrant therefor on the county treasurer. In the case of any patient having no known homicidal or suicidal propensities, the superintendent is authorized, whenever he deems the best interests of such patient to require it, to permit said patient to leave the institution on a trial visit, not in any case to exceed ninety days, the patient being returnable at any time within that date, should such return be necessary, without further legal proceedings. The removal of such patient on such trial visit, shall be made in the same manner as provided in this section for the removal on discharge, and when return from such visit is necessary, and neither the patient nor the friends of the patient are financially able to bear the expense, said return shall be made on the warrant of the probate judge, in the same manner as provided herein in the case of discharged patients in like circumstances.

Fees and expenses.

Removal of certain patients on trial visits.

Expenses.

SECTION 2. Said original section 709 shall be and the same is hereby repealed,

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 203].

AN ACT

Supplementary to section 478 of the Revised Statutes.

Number and salaries of official stenographers in Lucas and Montgomery courts of common pleas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 478 of the Revised Statutes, with sectional numbering as follows:

SEC. 478*a*. In all counties containing a city of the third grade of the first class or of the second grade of the second class, cities of over thirty thousand and not to exceed one hundred and sixty thousand inhabitants by the last federal census, the number of official stenographers may be equal to the number of common pleas judges resident in such county; and the official stenographers shall each receive a salary not to exceed twelve hundred dollars per annum, to be fixed by the judges making the appointment, which salary shall be in lieu of all per diem fees in said common pleas court provided for in this section, And it shall be the duty of the auditor of such county to issue warrants on the treasurer for the payment of such salary, out of the general fund, in equal monthly installments, upon presentation to him of a certified copy of the journal entry appointing such stenographer and fixing his salary. And in such counties it shall be the duty of the official stenographer, unless waived by the parties, to report all cases actually tried in said common pleas court to the court or jury. But no transcript of the notes into long hand shall be made, to be paid for out of the county treasury in such counties, in any criminal case, unless such transcript shall be ordered to be made by the judge trying the case; and when more than one such transcript is ordered, the fee for making each additional transcript shall be one-third the fee allowed by law for the first copy.

Duties.

When notes shall be transcribed in criminal cases.

Fees for additional transcripts.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 103.]

AN ACT

To change the time of holding the October term of the common pleas court of Allen county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the October term, eighteen hundred and eighty-eight, of the court of common pleas in and for Allen county, shall commence on the eighth day of October instead of the eleventh day of said month, as now appointed.

Changing the time of holding Allen common pleas court.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 200].

AN ACT

To supplement section 1707 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1707 of the Revised Statutes be supplemented by the addition of a section, with sectional numbering as follows, and so as to read as follows:

Officers of the city of Lima.

SEC. 1707*c*. The officers of cities of the second class and fourth grade, having a population at the last federal census of seven thousand five hundred and sixty-seven, and when said cities already have an organized police, shall consist of a mayor, solicitor, a city commissioner, who shall be superintendent of streets and highways; and a treasurer, except as otherwise provided by law, all of which officers shall be chosen by the electors of said cities; and a clerk, who shall be chosen by the council of such cities; a chief of police, who shall be appointed by the mayor, subject to the approval and confirmation of the council of such cities, whose term of office shall be one year, and shall commence on or before the first Monday of March of each year; and the council may, when in its opinion it deems it expedient, create, by ordinance, the office of auditor, sealer of weights and measures, fire engineer, civil engineer, superintendent of markets, and provide for their election or appointment and compensation; provided, that all duties heretofore imposed upon the marshal by law or ordinance, shall devolve upon and be performed by

said chief of police, who shall be subject to the provisions contained in section 2008 of the Revised Statutes, and whose salary or compensation shall be fixed by the council.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 543.]

[Columbus and Toledo.]

AN ACT

To provide for the repairing, cleaning and sprinkling of, and planting and caring for trees in, streets, avenues and alleys in cities of the third grade of the first class, and first grade of the second class.

Cleaning and sprinkling of streets; planting and care of trees on public ways.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the third grade of the first class, and first grade of the second class, shall have authority to provide by ordinance, in the manner hereinafter stated, for the repairing, sprinkling, sweeping and otherwise cleaning of, and planting and taking care of shade trees in, any of the avenues, streets and alleys, or any part thereof, which have been improved under any city ordinance, by the construction of any permanent pavement; and any one or more of such objects may be embraced in any resolution or ordinance for such purpose.

Commissioners.

SECTION 2. That the city council may, by ordinance, appoint two electors of such city, who shall be owners of property abutting upon the street, avenue or alley to be repaired, sprinkled or cleaned, or in which trees are to be planted, to serve without compensation, who, together with the city civil engineer, shall constitute a board of commissioners, with full power and authority to repair, clean and sprinkle, and plant and take care of shade trees in, any such street, avenue, or alley, or any part thereof, the cost of which, including intersections, shall be a lien upon the abutting property, and be estimated, assessed and collected as provided in section twenty-three hundred and eleven (2311) of the Revised Statutes.

SECTION 3. That said commissioners shall be appointed for the term of three years, and a vacancy arising from any cause may be filled by the appointment by the council, of a person qualified, as provided in section two of this act. Their terms; vacancies.

SECTION 4. That this act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 21].

AN ACT

To provide for a commission to establish the boundaries and lines of the canals, canal basins, reservoirs, etc., etc., of the state, by an accurate survey by metes and bounds, together with maps and plats of the same, and to define and protect the ownership and titles of the state in and to all lands belonging to and connected with said canals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor, by and with the advice and consent of the senate, shall appoint a commission, consisting of three persons, not more than two of whom shall belong to the same political party, who shall, within thirty days after their appointment, proceed to survey and determine the boundaries of all lands heretofore appropriated for canal purposes, and owned by the state, the boundaries of which are not now accurately known and of record, as already surveyed, and to mark the same by proper monuments, and to make maps and plats of all said canal lands not already platted, together with the necessary description and location of all bridges, culverts and aqueducts, and shall clearly indicate and describe in their report any part of said property that in their judgment is not necessary for canal purposes, all of which is to be preserved as hereinafter provided; and on that part used for channel purposes, the boundaries of which are not in dispute, the courses and distances shall only be obtained for the purpose of ascertaining the lengths thereof. The members of said commission, after their appointment as above provided for, shall take an oath of office, and give bond in the sum of one thousand dollars, conditioned for the faithful discharge of their duties; and said commissioners shall each receive the sum of twelve hundred dollars per annum, and their necessary expenses while in the prosecution of their duties, to be paid out of the canal fund, said salary to be paid in quarterly installments;

Appointment of canal survey commission.

Survey of canal lands.

Monuments, maps, plats.

Bridges, aqueducts, culverts; lands not needed for canal purposes.

Channel distances and courses.

Oath; bond; salaries; expenses.

and all accounts for expenses shall be evidenced by [a] detailed statement duly verified by oath, and approved by the auditor of state; and the necessary amount to meet such salary and all other expense of the commission is hereby appropriated out of said canal fund of the state, which shall be paid out on the warrant of the state auditor; that the term of office of said persons so appointed shall be for the period of two years, unless sooner removed by the governor; and the governor is hereby authorized to fill any vacancy, that may occur, from the political parties as named in the preceding part of this section.

Appropriation.

Term; removals; vacancies.

Employment of surveyors, etc.; duty of chief engineer, board of public works.

SECTION 2. The said commissioners may employ competent surveyors to make said surveys, also such other assistants as in their judgment may be necessary, and fix the compensation of each of the persons so employed; provided, all maps and plats of said canal lands shall be prepared in conformity with instructions and plans prepared by the chief engineer of the board of public works; each of said commissioners is hereby authorized to administer oaths and issue subpœna[s] for witnesses called for the purpose of fixing said boundaries, or in any matter connected therewith; and all testimony taken upon the subject, together with said maps, plats, surveys, etc., and the report of said commission, shall be filed in the office of the board of public works, and there retained and preserved as other public documents; and in all cases, where any person or corporation is in the possession and occupancy of any lands claimed by the state, and the parties so in possession appear before said commission and submit their rights to the award and decision of said commission, for the purpose of determining the boundary line and the ownership of such parties, the award and decision of said commission shall be final, and conclusive upon the parties to such submission, when approved by the governor and attorney general.

Witnesses.

Where testimony, maps, etc., shall be deposited.

Arbitration and award as to rights of occupants.

Suits against unlawful occupants.

SECTION 3. In all cases where any lands of the state are occupied by any person or persons, and the boundaries so established by said commission are not acceptable to and acquiesced in by those so occupying or trespassing upon said lands, then this commission shall direct the attorney-general, and it is hereby made his duty, to bring suits to establish the state's right to any property in controversy, and obtain possession thereof; where the title to any lands contemplated in this act is determined, and such lands have been and are trespassed upon in whole or in part, by the erection of buildings or other improvements or fixtures, and where such lands thus trespassed upon are not necessary, in fact, for public purposes, and such necessity shall be determined by the commission, board of public works and chief engineer of the public works, then said commission shall fix a fair value thereon according to the market value where such property is situate, and the person or persons so occupying such lands shall be entitled to a lease of the same for a term not to exceed fifteen years, at an annual rental of six per cent. of the valuation fixed

Leasing of occupied lands to unlawful occupants.

thereon by the commission as aforesaid, payable semi-annually to the board of public works, to be by them covered into the canal fund of the state. All leases shall be prepared by the attorney-general of the state, and each lease shall contain and require such security as, in the judgment of the commission and board, will secure the full and prompt payment of the rental due the state; where titles to lands are not in dispute, or the lines have been duly adjusted, and there is no occupancy by buildings or fixtures, such lands, together with any other lands wholly unoccupied, and when the title thereto has not been in dispute or questioned, or may have been determined by legal proceedings as heretofore provided, and when any of such lands are not necessary for the public works of the state, such necessity to be determined by the commission, board of public works and chief engineer of the public works, such lands may be leased by the board of public works upon the same terms and length of time as hereinbefore provided for occupied lands, and the same rule shall apply for fixing the valuation thereon by the commission; provided, however, that no lease shall be made by the commission or the board of public works without first having the approval of the governor, in writing, and made a part of the records in the office of the board of public works; and all of said leases shall contain a reservation upon the part of the state, to cancel the same at the discretion of the general assembly.

Leasing of unoccupied lands.

SECTION 4. This act shall not be construed, or held to authorize the sale or abandonment of any portion of the canals of the state, or for the lease of any land or lands that would impair their usefulness.

How this act shall not be construed.

SECTION 5. All money derived from the income accruing from all leases, shall be paid into the canal fund, and be used in the operation and maintenance of the canals of the state and for no other purpose.

Application of the income accruing from leases.

SECTION 6. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 617.]

[Springfield.]

AN ACT

To provide for the government of cities of the second class which may become cities of the fourth grade of the first class.

Laws governing cities 2nd class, which may become cities 4th grade, 1st class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when any city of the second class shall, by the vote of the people thereof, in the manner provided by law, become a city of the fourth grade of the first class, it shall continue to be governed by the laws in force for the government of such city of the second class at the time the change in grade and class occurs, until the enactment of laws for the government of cities of the fourth grade of the first class.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 382].

AN ACT

To provide for the payment of bounties for the killing of English sparrows.

Bounty for the killing of English sparrows.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every person, being an inhabitant of this state, shall be entitled to receive a bounty of ten cents per dozen for all sparrows, known as the English sparrow, killed; to be allowed and paid in the manner hereinafter provided.

Proof required of persons applying for such bounty.

SECTION 2. Every person applying for such bounty, shall take such sparrow or the head thereof in lots of not less than 25 to the clerk of the township, village or city, within which such sparrow shall have been killed, who shall thereupon decide upon such application, and if satisfied of the correctness of such claim, shall issue a certificate stating the amount of bounty such applicant is entitled [to], and deliver the same to such applicant, and shall destroy the heads of such sparrows.

SECTION 3. Such certificate may be presented by the claimant or his agent, to the city treasurer, or treasurer of the township in which such sparrows may have been killed, who shall pay the same out of the township fund of said township. Payment, how made.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[Senate Bill No. 40.]

AN ACT

To amend sections 1448, as amended March 8th, 1886, and 1531, as amended April 15, 1881, of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1448, as amended March 8, 1886, and 1531, as amended April 15, 1881, of the Revised Statutes, be so amended as to read as follows:

SEC. 1448. After the judges and clerks have been qualified as aforesaid, the electors shall proceed to the election of one township clerk, one trustee, one township treasurer and such number of constables as may be directed by the trustees, and one supervisor of roads by the electors of each road district, and one assessor for the township, or if the township is divided into two or more election precincts, then for each precinct in which such election is held; and the judges and clerks in discharging their duties in said election, shall be governed in all respects by the law regulating elections, but it shall not be necessary to send a poll book to the clerk of the court of common pleas of the proper county; and in case any two or more persons have the highest and an equal number of votes for any one of the township offices directed to Election of township officers.

be filled, the clerk and judges of the election shall determine by lot which of the persons is duly elected; and the officers so elected shall hold their respective offices for the following terms, and until their successors are elected and qualified: supervisors of roads and assessors, one year; township clerk and treasurer, two years; and constables, three years; and trustees, three years; provided, that at the first annual election of any new township there shall be elected three trustees, the one receiving the highest number of votes, to serve three years; the one receiving the next highest number of votes, to serve two years; and the one receiving the next highest number of votes, to serve one year; should any two or more of those elected receive the same number of votes, they, at the first meeting of the board after their election, shall determine by lot the term for which each of them receiving an equal number of votes shall respectively hold the office; and provided further, that at the next annual election after the passage of this act, and at the first election of any new township, a treasurer shall be elected for one year, and a clerk for two years, and thereafter a township treasurer and clerk shall not be elected at the same annual election.

Fees of township clerk.

SEC. 1531. The clerk shall be entitled to the following fees, to be paid by the parties requiring the service: twenty-five cents for recording each mark or brand; ten cents for every hundred words of record required in the establishment of township roads, to be opened and repaired by the parties; and ten cents for each hundred words of records or copies in matters relating to partition fences, but not less than twenty-five cents for any one copy, to be paid out of the township treasury; ten cents for every hundred words of record required in the establishment of township roads, to be opened and kept in repair by the supervisors; and for keeping the record of the proceedings of the trustees, stating and making copies of accounts and settlements, attending suits for and against the township, and for any other township business the trustees require him to perform, such reasonable compensation as they may allow; but in no one year shall he be entitled to receive out of the township treasury more than one hundred and fifty dollars; provided, that in any county of the state containing a city of the first grade of the first class, the township trustees of any township in such county may allow the township clerk a compensation not exceeding six hundred dollars.

SECTION 2. That sections 1448, as amended March 8th, 1886, and 1531, as amended April 15, 1881, of the Revised Statutes, are repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 429].

AN ACT

To change the time of commencing the May term of the court of common pleas in Darke county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the next May term of the court of common pleas in and for Darke county, Ohio, shall commence on the fourteenth day of May, A. D. 1888, instead of on the seventh day of May, A. D. 1888, as now appointed.

Changing time of holding Darke county common pleas court.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 285].

AN ACT

To amend section 3971 of the Revised Statutes, as amended March 5th, 1883, O. L., 80 v. 36.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3971 of the Revised Statutes, as amended March 5th, 1883, be so amended as to read as follows:

SEC. 3971. The boards of education of all school districts now organized and established, and of all school districts organized under the provisions of this title, shall be, and they are hereby declared to be bodies politic and corporate, and, as such, capable of suing and being sued, contracting and being contracted with, acquiring, holding, possessing and disposing of property, both real and personal, and taking and holding in trust, for the use and benefit of such districts, any grant or devise of land, and any donation or bequest of money or other personal property, and of exercising such other powers, and having such other privileges as are conferred by this title; but when a board of education decides to dispose of any property real or personal, held by it in its corporate capacity, exceeding in value three hundred dollars, it shall sell the same at public auction, after giving at least thirty days' notice thereof, by publication in some newspaper of general circulation, or by posting notices in five of the most public places in the district in which such property is situate. Provided, that when such board has twice offered a tract of real

Corporate powers of board of education.

Sales of property exceeding $300 in value.

estate for sale at public auction, as herein before provided, and the same is not sold, the board may sell said real estate at private sale, either as an entire tract, or in parcels thereof, as the board may deem best, and the president and secretary of the board shall execute and deliver the deed or deeds necessary to complete such sale or sales.

Exchange of real estate with municipal corporation.

Provided, that upon a vote of a majority of the members of any board of education, and a concurring vote of the council of any municipal corporation, that an exchange of any real estate held by such board of education for school purposes, for real estate held by such municipal corporation for municipal purposes, will be mutually beneficial to such school district, and to such municipal corporation, such exchange may be made by conveyances, to be executed by the mayor and clerk of the municipal corporation, and by the president and clerk of such board of education.

SECTION 2. Said original section 3971 as amended March 5th, 1883, is hereby repealed.

SECTION 3. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 239].

AN ACT

To amend section 9 of an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers.

Ohio penitentiary:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 9 of an act passed March 24, 1884, be amended so as to read as follows:

Earnings of prisoners, to what purposes applied.

SEC. 9. The warden is hereby authorized to have placed to the credit of each prisoner (except those serving a life sentence, who may receive an amount of their earnings not to exceed five cents per day,) such amount of his earnings as the board of managers may deem equitable and just; taking into account the character of the prisoner, the nature of the crime for which he is imprisoned, and his general deportment; provided, that such credit shall in no case exceed twenty per cent. of his earnings; and the funds thus accruing to the credit of any prisoner shall be paid to him or his family at such time and in such manner as the board of managers may deem best; provided, that at least twenty-five

per cent. of such earnings shall be kept for and paid to such prisoner at the time of his restoration to citizenship; and provided further, that the warden may, with the approval of the board of managers, by way of punishment for violation of rules, want of propriety, or any other misconduct, cancel such portion of such credit as he may deem best.

SECTION 2. That section 9 of, an act passed March 24, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 449.]

AN ACT

To authorize the city council of any city of the third grade of the second class to issue bonds for the purpose of constructing wharves and landings upon the navigable waters of any such city.

Sandusky authorized to issue bonds for repair of wharves and landings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the third grade of the second class be, and the said city council of any such city is hereby authorized (if the same is approved by the voters as hereinafter provided) to issue the bonds of said city in any sum not exceeding two hundred thousand dollars, bearing interest at a rate not exceeding five per cent. per annum from the date of issue, payable semi-annually, for the purpose of constructing and keeping in repair wharves and landings upon its navigable waters.

Issue and sale of bonds.

SECTION 2. Said bonds shall be signed by the mayor of the city and countersigned by the clerk of said city, and attested by the corporate seal. Said bonds shall be sold according to law, and for not less than their par value, and shall be issued in such amounts respectively, and draw such interest not exceeding five per cent., as will in the judgment of said council, best subserve the negotiation and sale thereof; the principal shall be payable at such times as the council of said city may determine by ordinance, and within a period not exceeding fifty years; and said city is hereby authorized to levy a tax upon all the taxable property of said city, sufficient with the net income or revenues derived from rents of said

Tax to pay said bonds and interest.

wharves and landings to pay the interest of said bonds, and provide a sinking fund to pay said bonds as the[y] mature.

Application of proceeds.

SECTION 3. The funds realized from the sale of said bonds shall be used for the purpose of constructing and keeping in repair such wharves and landings, which wharves and landings when completed shall be used, operated and controlled in such manner as may be provided by law and the ordinances of said city; and the money arising from the sale of said bonds shall be under the control of and expended by a board of five trustees, to be appointed by the court of common pleas of the county containing such city, on the application of the mayor of said city; said trustees to give bonds as ordered by the court for the faithful discharge of their duties in the premises.

Trustees of the fund.

Question of levying said tax to be submitted to a vote.

SECTION 4. The said city council is hereby authorized and required to submit the proposition of levying the said tax to a vote of the electors of said city, and prescribe by ordinance the time and manner of voting on the same, and the authority to make said levy and assess said tax to be dependent upon the same being approved by a two-thirds majority of those voting upon the proposition.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 231.]

AN ACT

To authorize the Gettysburg memorial commission to publish its report in pamphlet form and making an appropriation therefor.

Publication of report of Gettysburg memorial commission.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Gettysburg memorial commission is hereby authorized to have printed in pamphlet form, five thousand (5,000) copies of the official report of that commission, said publication to contain an accurate photo-engraving or other suitable drawing of each one of the twenty memorials erected by the state under the auspices of said commission on the battle field at Gettysburg.

Distribution.

SECTION 2. The distribution of said report when printed shall be as follows: Two thousand copies by the general assembly; two thousand copies by the Gettysburg memorial commission, and one thousand copies by the adjutant-general.

SECTION 3. Said commission is hereby authorized to pay the expense of engraving and printing said official report, out of the unexpended balance appropriated by the act passed April 21, 1886, entitled an act to amend and supplement an act, entitled an act "to appropriate money to purchase lands upon which to erect a monument to the memory of the soldiers of Ohio who died upon the battle field of Gettysburg." Expense, how paid.

SECTION 4. After the printing herein authorized shall have been completed, the engraved plates purchased and used for the illustration thereof, shall be deposited with the adjutant-general for permanent safe keeping. Engraved plates, where to be deposited.

SECTION 5. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 680.]

AN ACT

To amend section 7025 of the Revised Statutes of Ohio, as amended February 20, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7025 of the Revised Statutes of Ohio, as amended February 20, 1888, be so amended as to read as follows:

SEC. 7025. The house, buildings, portion of buildings and places mentioned in this section are public nuisances, and a person who keep[s] a house or place of ill-fame or assignation, for the purpose of prostitution, or lewdness, or a house, or place, for persons to visit for unlawful sexual intercourse, or for any other lewd, obscene, or indecent purpose, or a disorderly house or place, or any place of public resort by which the peace, comfort or decency of a neighborhood is disturbed, or who as agent, or owner, lets a place, building, or any portion of a building, knowing that it is intended to be used, for any purpose specified in this section, or who, knowingly, permits a place, a building, or a portion of a building to be so used, shall be fined not more than one hun- Penalty for keeping or letting house of ill-fame, assignation, etc.

Abatement of such houses as public nuisances.

dred dollars, or imprisoned not more than six months, or both, and the court shall order the nuisance to be abated.

SECTION 2. Said original section 7025 as amended February 20, 1888, be and the same is hereby repealed; and this act shall take effect from its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 545].

AN ACT

Supplementary to the act passed May 17, 1886, entitled "An act to provide for the reversion and use of abandoned fair grounds in certain cases" (83 Ohio Laws, 192).

Authorizing Franklin park improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county in which there is a city of the first grade of the second class, and in which a board of park commissioners has been or may be hereafter appointed, under and by virtue of said act to which this is supplementary, such board of park commissioners shall have power and authority, by and with the advice and consent of the board of county commissioners of such county, to purchase an amount of ground not less than eleven (11) acres, and at a cost not to exceed the sum of nine thousand, five hundred dollars ($9,500,) upon such terms as said board of park commissioners shall deem expedient, such real estate adjoining the park controlled by such board, as such board shall from time to time deem necessary, for the enlargement and improvement of such park; and whenever any such additional real estate shall be so purchased by such board, it shall cause the title thereto to be conveyed to the board of county commissioners of the county in which such park shall be located, to be held by said board of county commissioners in trust for a public park, for the use of the people of said county.

Issue of park improvement bonds.

SECTION 2. For the purpose of providing the means with which to pay for any such real estate that may be purchased by such board of park commissioners, and the costs of caring for, improving and embellishing such park, such board of park commissioners are hereby authorized and empowered to borrow such sums of money, not exceeding thirty thousand dollars ($30,000), as said board shall deem necessary, at a rate of interest not exceeding six per cent. per annum; and the money so borrowed shall be placed in the county treasury of such county, as other public funds, to the credit of the park

fund, and shall be disbursed only on the warrants drawn in accordance with the orders of said board of park commissioners, signed by its president and countersigned by its secretary; and the city council of said city shall issue and deliver to such board of park commissioners the bonds of such city for the amount of the money so borrowed. The payment of the principal of said bonds shall not be deferred beyond a period of ten years, and shall be payable at the pleasure of the city council of said city after five years. The interest of said bonds shall be payable semi-annually, and said bonds shall not be sold for less than their par value; provided, however, that before any such bonds are issued, the question of issuing the same shall be submitted at the election to be held on the first Monday in April, 1888, to a vote of the qualified electors of such city of the first grade of the second class. The tickets voted shall have written or printed thereon, the words: "Franklin Park Improvement Fund, $30,000, Yes," "Franklin Park Improvement Fund, $30,000, No." If a majority of all the voters at such general election signify their approval of said proposed improvement by voting "yes" on said question, in the manner heretofore provided, then such city council shall have full authority to issue said bonds, but not otherwise.

Question of such issue to be submitted to popular vote.

SECTION 3. That the bonds so issued shall be signed by the president of the city council and attested by the clerk of such city, who shall keep a record of all bonds issued (with coupons attached), and shall be in such sums not less than one hundred dollars each, payable to bearer, at such place as the city council may designate in said bonds; and such bonds shall specify distinctly the purpose for which they are issued.

Bonds to be how signed, attested, recorded, etc.

SECTION 4. That such city council is hereby authorized and required to levy, for park purposes, and for the purpose of paying the principal of the outstanding bonds issued under authority of this act, an annual tax of not more than one-tenth of one mill.

Levy of tax.

SECTION 5. Before any of said bonds shall be delivered to said board of park commissioners, each member of said board shall take and subscribe an oath before some officer authorized by law to administer oaths, that he will honestly and faithfully discharge the duties of said office; and each member of said board shall give a bond, payable to such county, with at least two sureties, in the sum of ten thousand dollars, to be approved by the mayor of such city, conditioned for the faithful performance of his duties as a member of such board. And each successive member of such board of park commissioners shall, upon his appointment, qualify by taking and subscribing a like oath and giving a like bond. Should any person, who has been or may hereafter be appointed a member of said board of park commissioners, fail or neglect for ten days to qualify as herein provided, his office shall be deemed vacant, and another suitable person shall be appointed in his stead.

Oath and bond of members of board of park commissioners.

Effect of neglect to qualify.

Meetings of board; regulations; secretary; proceedings.

SECTION 6. Such board of park commissioners shall hold meetings as often as once a month, and adopt all necessary rules for the regulation of its business. It shall elect a secretary, and make allowances for his compensation; it shall keep a complete record of all its proceedings, which record, or a copy thereof duly certified by its secretary, shall be competent evidence of the transactions of said board in all the courts of this state; the ayes and nays shall be called upon the passage of every resolution or order, and entered upon the journal; three members of the board shall constitute a quorum for the transaction of all business, but no resolution or order shall be adopted unless three members shall vote in its favor.

Rules for government of park; superintendent and other employes.

SECTION 7. Said board of park commissioners shall adopt rules for the care, protection and government of such park, under its charge, and it may appoint or employ such superintendent and such employes as it may deem necessary, and fix their salaries or compensation; and any of such persons may be removed by the board at any time.

Report to county commissioners and city council.

SECTION 8. Said board of park commissioners shall annually make a full report to the county commissioners of such county, and to the city council of such city in respect to such park, with a detailed account of its receipts and expenditures.

SECTION 9. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 571].

AN ACT

To amend section 3752 of the Revised Statutes of Ohio.

Sectarian colleges:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3752 of the Revised Statutes of Ohio be so amended as to read as follows:

Classes and election of trustees.

President ex-officio a member of board.

SEC. 3752. After such acceptance, the board shall certify the same to the patronizing conference or other religious body having the right to elect or appoint trustees of such university or other institution of learning, at the next meeting of such conference or other religious body; and thereafter the board shall consist of twenty-one trustees elected or appointed, and the president of such university or other institution of learning, who shall be ex-officio a member of

the board; such elected or appointed trustees shall be divided into three classes of seven members each.

At the first election or appointment after such acceptance, one of such classes shall be elected or appointed for one year, one for two years and one for three years, and in all subsequent elections or appointments each of the classes of trustees shall be elected or appointed for three years, but no term of office of any such trustee shall expire during any meeting of the board which does not continue more than two weeks. Ten members of the board shall constitute a quorum, and all vacancies which occur in any class of trustees otherwise than by expiration of the term of office, shall be filled only for the remainder of the term; provided, that any such university or other institution of learning, having heretofore accepted the provisions of original sections 3751 and 3752, may increase its board of trustees by electing or appointing two additional members in each of the classes of trustees herein provided for.

Term.

Vacancies.

Increase in board.

SECTION 2. Said original section 3752 is hereby repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 348].

AN ACT

To amend section 1425 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fourteen hundred and twenty-five of the Revised Statutes of Ohio be so amended as to read as follows:

Sale of school lands:

SEC. 1425. In case said lands, or any part thereof, are not sold as aforesaid, the auditor may continue to offer the same, on the application in writing, of the trustees of the township to which they belong, at any future time or times, until they are sold; having first given the like notices herein provided to be given on the first offer of sale thereof, but no sale shall be had on any valuation made more than two years prior to the day of sale; provided, that when from any cause the value of said lands, or any part thereof, as fixed by the appraisers, has decreased, said trustees may at any time after the land has been once offered and remains unsold, file a petition in the court wherein the former petition was filed, setting out in substance the filing of said petition and the subsequent proceedings thereto; that the land has

In case no sale is made how lands may be offered again.

When and how re-appraisement may be made.

been offered and remains unsold, and the facts and circumstances which have decreased the value of said lands and asking for a re-appraisement of the same. If the court is satified that the statements made in the petition are true, and that said lands by reason thereof have decreased in value, it may order another appraisement, and thereupon the court shall appoint three disinterested freeholders, having the qualifications described in section fourteen hundred and twenty-one [1421], and the same proceedings shall be had as under the original petition; and after such appraisement is made the auditor shall again offer said lands for sale, as provided in the preceding section.

SECTION 2. That section 1425 is hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 653].

AN ACT

Making appropriations to pay expenses of the Electoral College.

Appropriation for expenses of electoral college.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be, and hereby is appropriated out of any money in the state treasury to the credit of the general revenue fund, not otherwise appropriated, to pay expenses and per diem of the Electoral College, six hundred dollars, ($600). This appropriation to be paid out agreeable to Sec. 2976, R. S.

SECTION 2. This act to take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 701]

AN ACT

To authorize the trustees of any township, municipal corporation or county to sell certain stocks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township, city councils and county commissioners are hereby authorized and empowered to sell and dispose of any railroad stocks, plank-road stock, and turnpike stock, owned by said township, municipal corporations or county, at public or private sale, as they may deem best, and pay the proceeds arising from the sale thereof into the treasury of said township, municipality or county, to the credit of the general fund thereof.

Counties, townships and municipalities authorized to sell stocks owned in private corporations.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 74].

AN ACT

To amend section 5377 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty-three hundred and seventy-seven (5377) be amended so as to read as follows:

SEC. 5377. The party in whose favor a judgment is rendered by a justice of the peace, or mayor of a municipal corporation, may, at any time after judgment is rendered, if the same be not appealed or stayed, file in the office of the clerk of the court of common pleas of the county in which the judgment was rendered, a transcript thereof, having certified therein the amount, if any, paid thereon; and thereupon the clerk shall enter the case on the execution docket, together with the amount of the judgment, and the time of filing the transcript; but if, within ten days after the rendition of the judgment, the judgment debtor pay the same, or give bail for stay of execution, the justice or mayor shall forthwith certify that fact to the clerk of the court of common pleas, who shall enter a memorandum thereof upon the execution docket; and the cost of the transcript, the filing thereof, and of the entry on the docket, shall be paid by the party who files the transcript, and taxed as increased costs,

Filing of transcripts of judgments of justices and mayors with clerk of court of common pleas.

unless the judgment debtor pay the same, give bail for stay of execution, or appeals from the judgment rendered, within ten days after the rendition of the judgment.

SECTION 2. That section 5377 be and is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 59.].

AN ACT

To amend sections [section?] 3718*a* of the Revised Statutes of Ohio.

Jurisdiction of justices, police judges and mayors:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3718*a* of the Revised Statutes of Ohio be and the same is hereby amended to read as follows:

In prosecutions for adulteration of food, etc.; for cruelty to animals.

SEC. 3718*a*. Any justice of the peace, within his county and city, police judge or mayor of any city or village, within his city or village, shall have jurisdiction in case of violation of the laws to prevent adulteration of food and drink, the adulteration and deception in the sale of dairy products, and drugs and medicines, and any violation of the law for the prevention of cruelty to animals, or under section sixty-nine hundred and eighty-four of the Revised Statutes, or section sixty-nine hundred and eighty-four (*a*) thereof as herein enacted. If such prosecutions be before a justice of the peace, and a trial by jury be not waived, the said justice shall issue a venire to any constable of the county, containing the names of sixteen electors of the county to serve as jurors to try such case, and make due return thereof. Each party shall be entitled to two peremptory challenges and shall be subject to the same challenges as jurors are subject to in criminal cases in the court of common pleas. If the venire of sixteen names be exhausted without obtaining the required number to fill the panel, the justice may direct the constable to summon any of the by-standers to act as jurors; provided, that in all cases prosecuted under the provision of this section, (no costs shall be required to be advanced or paid by the person or persons authorized under the law to prosecute such cases;) and provided further, that in all cases brought under the provision of this section, if the defendant be acquitted, or if convicted, and committed in default of paying fine and costs,

Judicial proceedings in such cases before justices.

the costs of each case shall be certified under oath to the county auditor, who, after correcting the same, shall issue [a] warrant on the county treasurer in favor of the persons to whom such costs and fees shall be paid. Costs, how paid.

SECTION 2. The original section 3718*a* is hereby repealed.

SECTION 3. This act shall take [effect] from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 145].

AN ACT

To amend sections [section?] 2829 of the Revised Statutes of Ohio, as amended March 21st, 1887 (O. L. 84, page 224).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2829 of the Revised Statutes of Ohio, as amended March 21st, 1887, be amended so as to read as follows:

SEC. 2829. In any county containing a city of the first class of the first grade, the trustees of the several townships in said county outside of said city, shall be authorized to levy annually, such road tax as they may deem necessary to keep in repair and improve the public roads and highways in their respective townships, not to exceed three mills on the dollar in any one year; two mills of said tax may be discharged in labor as hereinafter provided, the balance (if any) is to be placed on the duplicate of the county by the county auditor, and the same shall be collected as other moneys are collected in the December installment by the county treasurer, and paid over by him to the treasurer of the township from which said taxes were collected, and said fund shall be expended by the township trustees for labor and material necessary in improving and repairing the public roads of the township; provided, that when a township shall include one or more incorporated towns or villages, the rate of tax levied by said township trustees shall not apply or be assessed or collected from the property included within the limits of such incorporated town or village, but the council of such town or village may exercise the right conferred on the trustees of townships to make such levy if they deem the same necessary. If the trustees of any township other than those in counties containing a city of the first grade of the first class, shall

Levy of township road tax in Hamilton county.

Labor in discharge of part tax.

Collection and expenditure of township road fund.

Municipalities.

Levy of additional township road tax in counties outside of Hamilton.

deem an additional road tax necessary, they shall determine the percentum to be levied on the taxable property of their townships, not exceeding one mill on the dollar, except in counties where the taxable property is less than ten millions, in which counties the trustees of the different townships thereof may, at their discretion, levy an additional road tax not to exceed two mills on the dollar valuation of the taxable property of their townships, which may be discharged in labor as hereinafter provided; and in addition thereto not exceeding one mill on the dollar, for the same purpose, to be collected in money; but where a township shall include an incorporated village, the rate of tax so fixed by said township trustees shall not apply or be assessed or collected from the property included within the incorporated limits of such village; but the council of any such village shall exercise the right conferred by this title on the trustees of townships to make such additional levy for road purposes, on the taxable property within the corporate limits of any such village, as the trustees may by this title make for road purposes in their respective townships; and said trustees and council shall certify the same to the county auditor in writing, on or before the fifteenth day of May each year, and the auditor of the county shall assess the same on all taxable property in said township, town or village, and the same shall be collected in the December installment.

Power of village councils of make such levy for themselves.

Certificate to auditor.

Collection.

SECTION 2. Said original section 2829, as amended March 21, 1887, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 289].

AN ACT

To regulate the construction, enlargement, changes in, and conduct and management of water-works, and define the powers and duties of water-works trustees in certain cities.

Lima water-works trustees; their powers and duties; salary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city in this state, which by the federal census of 1880 had, or which by any federal census hereafter may have on the first day of June in any year, a population of seven thousand, five hundred and sixty-seven, having ordered the construction of water-works therein and

established a board of trustees for the same, the trustees shall receive a fixed salary, to be determined by the council, and the trustees shall manage, conduct and control the works, furnish the supplies of water, collect water rents, and appoint all necessary officers and agents, and fix the terms of officers, and the amount of salary of each officer and agent so appointed, subject to the approval of the council; but no person holding the office of water-works trustee, either by appointment or election in such city, shall be eligible to appointment as officer or agent by such board of trustees.

Ratification by council necessary to contracts, expenditures, etc.

SECTION 2. No contract or agreement entered into or obligation incurred or expenditure authorized by the trustees of water-works for or towards the construction, enlargement or extension of water-works, or for changes therein, except necessary repairs, or in any way relating to the water-works, or to anything incident or appurtenant thereto, shall be binding upon any such city, nor shall any money be appropriated or drawn from the treasury of the city to execute any such contract or agreement, or to discharge any such obligation, or to defray any such expenditure, unless before going into operation the same is ratified by council; provided, that this section shall not apply to the necessary costs and expenses of managing, conducting, and repairing, such water-works after the same shall have been put in operation.

Moneys to be controlled by council.

SECTION 3. All moneys for the construction, enlargement, or extension of the water-works, or for changes therein, except for necessary repairs, shall be under the exclusive control of council, to be paid out of the treasury only by order of council upon proper claims certified to by the trustees of the water-works as being just and correct.

SECTION 4. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 52].

AN ACT

To authorize the council of any city in the state of Ohio to take its census when necessary, between the years of taking the federal census, and on filing the same with the auditor of state, said census to be regarded as the official state census of said city.

Authorizing official state census of cities to be taken.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of said state be and is hereby authorized, whenever said council may deem it necessary, between the years of taking the federal census, to

take the census of said city, after the manner prescribed in section fifteen hundred and eighty-four of the Revised Statutes of said state of Ohio, and such census so taken shall be filed with the auditor of the state of Ohio, and shall be known as the official state census of said city.

SECTION 2. This act shall not repeal or affect sections 1582, 1583, or 1584 of the Revised Statutes.

SECTION 3. This act shall take effect and be in full force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 166.]

AN ACT

Supplementary to section 931 of the Revised Statutes of Ohio, as amended May 18, 1886 (83 v., 196).

Children's home:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section 931 of the Revised Statutes of Ohio, as amended May 18, 1886, with sectional numbering as follows:

Separation of child under three years of age from its pauper mother.

SEC. 931*a*. No child under the age of three years shall be separated from its mother, if such mother be an inmate of the county infirmary, or shall be declared a pauper, unless with the approval of the probate court first given; and whenever a child who is an applicant for admission to a children's home, shall, upon examination by a regular practicing physician, be declared to be afflicted with any contagious or infectious disease, and there shall be no means provided at the children's home for its separation from the other children, it shall be cared for at the county infirmary until such time as it shall become eligible to the children's home.

Children afflicted with certain diseases, how cared for.

Certain children who are eligible to be certified to the home.

SEC. 931*b*. All children now maintained in the county infirmary of any county in this state, or who shall hereafter be received into any such county infirmary, and shall become eligible to the children's home of such county or district, shall be certified to the trustees thereof, by the infirmary directors; and all children who are found by township trustees to be proper subjects for the care of the county, and

eligible to such children's home, shall be certified to the trustees of the home by the trustees of the township of which they are residents, and shall be conveyed to such home and the expense thereof paid for out of the poor fund; but in case any child shall be found abandoned and destitute, and is eligible to the children's home, the superintendent of the home may provide and care for it temporarily, until the proper officers can be notified.

Temporary care of eligible abandoned and destitute children.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 138].

AN ACT

To give preference of appointment or employment to honorably discharged soldiers, sailors and marines, who fought for the union in the late war of the rebellion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in every public department, and upon all public works of the state of Ohio, honorably discharged union soldiers, sailors and marines, of the late rebellion, shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the other requisite qualifications.

Preference of appointment in public service to be given to honorably discharged soldiers and sailors.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[House Bill No. 442].

AN ACT

Supplementary to chapter 1, division 9, of title 12 of the Revised Statutes of Ohio, and to amend section 2689*a* (83 O. L., 147).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2689*a* of the Revised Statutes of Ohio be amended so as to read as follows:

Maximum of municipal taxes allowable in municipalities other than Cincinnati.

SEC. 2689*a*. The aggregate of all taxes levied or ordered by any other municipal corporation than cities of the first grade of the first class, including the levy for general purposes, above the tax for county and state purposes, and excluding the tax for schools and school house purposes, shall not exceed in any one year, in cities of the second grade of the first class, nine and one-half mills, for sewer purposes three mills, and such further rates as may be necessary to pay the interest on the public debt, and to create a sinking fund as provided in section 2712; in cities of the third grade of the first class, fourteen mills, provided, however, that out of the proceeds of such levy, the interest on the indebtedness of such corporation shall be first paid; in cities of the first and second grades of the second class, eight mills, and in addition thereto, such further rate not exceeding five-eighths of one mill, as may be necessary to create a sinking fund for the payment of the principal and interest of the bonds of said cities that may hereafter be issued for the purpose of building and maintaining main trunk sewers in such cities; in cities of the third grade of the second class, twelve mills; provided, that in cities of the third grade of the second class, which by the last federal census had a population exceeding (15,800) fifteen thousand, eight hundred, such cities, for the purpose of constructing wharves and landings, and keeping the same in repair, are authorized to levy such further sum, not exceeding eighteen (18) mills in all, as may be necessary to provide a fund for the construction and the keeping in repair of such wharves and landings; in cities of the fourth grade of the second class, nine mills; in villages of the first class, eight mills; and in all other villages, ten mills on each dollar of the value of any property as valued for taxation on the county tax lists; provided, however, that in all cities of the fourth grade of the second class, such further rate may be levied in addition to the foregoing limitation as will enable the cities to comply with the terms of any contract entered into by such cities, or any of them, under the provisions of section 2434, as amended January 29, 1885 (O. L., vol. 82, p. 11); and also provided, that the councils of the municipalities mentioned in this section shall, annually, at the time the rate of levy is fixed, provide by ordinance for the distribution of the tax among the several departments of the corporation in such proportion to

Distribution of such taxes.

their needs as the council may deem necessary; and at no time thereafter shall the amounts specified as necessary for the purposes named be changed; and all transfers of funds from one account to another are hereby expressly prohibited.

SECTION 2. Said original section 2689*a* be, and the same is hereby repealed; and this act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 234].

AN ACT

To amend section 5573 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 5573 of the Revised Statutes of Ohio be so amended as to read as follows:

Injunctions:

SEC. 5573. The injunction may be granted at the time of commencing the action, or at any time afterward, before judgment, by the supreme court or a judge thereof, the circuit court or a judge thereof, in his circuit, the common pleas court or a judge thereof, in his district, or the probate court, in causes pending therein; and the probate judge of the county may grant injunctions in actions pending in either the court of common pleas or circuit court of the county, in the absence from the county of the respective judges of such courts, upon its appearing satisfactorily to the court or judge, by affidavit of the plaintiff or his agent, that such plaintiff is entitled thereto. When the injunction has been allowed, and during the pendency of the action in the common pleas court has been vacated, either by a judge thereof in vacation, or by the court previous to the trial of the action, and an appeal is taken, after such trial, from the judgment or final order of the common pleas court to the circuit court, an injunction may be granted at any time before judgment or final order in the action in the circuit court, by the circuit court in which action is pending, or a judge thereof, upon its appearing satisfactorily to such court or judge, by affidavit of such party or his agent, that he is entitled thereto; and upon like proof, an injunction may also be allowed by the supreme

When and by whom granted.

court or the circuit court, or by a judge of either, as a temporary remedy, during the pendency of a case on error or appeal in such courts respectively.

SECTION 2. That section 5573, as amended February 24, 1887 (84 v., p. 36), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 147].

AN ACT

Supplementary to section 3826 of the Revised Statutes of Ohio.

Cincinnati:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3826 of the Revised Statutes be supplemented as follows, with sectional numbering as hereinafter provided:

Power to condemn avenues belonging to avenue companies within corporate limits.

SEC. 3826*a*. Where avenue companies have been or may hereafter be organized, and have constructed and operated, or may hereafter construct and operate an avenue or avenues in a county containing a city of the first grade of the first class, the council of such city of the first grade of the first class may by resolution declare it essential or necessary to the interests of said city that so much of any such avenue as may be within the corporate limits of the city should belong to the city for the purpose of a public street; and, thereupon, if the company owning such avenue and the proper authorities of the city are unable to agree upon the amount of compensation to be paid for so much of said avenue as lies within the city, the council may proceed to condemn and appropriate so much of said avenue as lies within the city limits, for public purposes, in the same manner in which other property is condemned and appropriated by municipal corporations.

Issue and sale of bonds.

SEC. 3826*b*. When the amount of compensation to be paid for such avenue appropriated under the preceding section shall have been ascertained, either by agreement of the parties or by the verdict of a jury in proceedings instituted for the purpose, a fund shall be provided for the payment of such compensation, together with the costs and expenses of such proceedings as may have been had, by issuing the bonds of such city for an amount not to exceed the sum of sixty-five thousand dollars; and it shall be the duty of the board of

public affairs of such city to issue said bonds. Said bonds shall be made payable at such time, and shall bear interest at such rate, not to exceed four per centum [per annum], as said board of public affairs shall determine; said bonds shall be signed by the president of the board of public affairs and the mayor of such city, and be attested by the comptroller of such city, and shall be secured by a pledge of the faith of such city and a tax, which it shall be the duty of the council of such city annually to levy upon the taxable property of such city, and certify the same to the county auditor, upon a certificate to that effect from the trustees of the sinking fund of such city, as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes. Said bonds shall be sold to the highest bidder by said board of public affairs at not less than their par value, after advertising the same for not less than four consecutive weeks, on the same day of the week, in some newspaper of general circulation in such city.

SECTION 2. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 333].

AN ACT

Supplementary to an act entitled, "An act supplementary to section 2293, Revised Statutes of Ohio," passed April 25th, 1885 (82 Ohio Laws, page 156).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to an act entitled, "an act supplementary to section 2293, Revised Statutes of Ohio," passed April 25th, 1885, with sectional numbering as herein provided:

Cincinna

SEC. 2293*b*. In cities of the first grade of the first class, the board of public affairs of any such city shall have authority to cause any of the streets, avenues or highways of such city to be improved with granite blocks, and the method of procedure in such cases shall be as follows:

Board of public affairs authorized to improve streets with granite.

1st. The provisions contained in paragraphs one, two, three, five, six and seven, of said section 2293*a*, as enacted April 25th, 1885, shall apply to improvements under this act, and be the mode of procedure hereunder; provided, that all

Provisions applicable; powers of board.

the powers conferred upon, and to be exercised by the board of public works, under said section 2293*a*, shall be conferred upon and exercised by the board of public affairs of such city hereunder.

Contracts.

2. Said board of public affairs shall have power to enter into contracts for doing the work and furnishing the material for the improvements contemplated by this act, without the money to pay the city's proportion thereof being in the fund, hereinafter provided, at the time of making such contracts; provided, that said board shall stipulate in such contracts a time within which such money shall be paid, after the completion and acceptance of such work.

Issue of bonds; their payment provided for.

3. In order to provide a fund for paying so much of the cost thereof as is herein provided to be paid by the city at large, it shall be lawful for said board of public affairs to issue bonds, in an amount not to exceed the sum of $125,000.00, in the name of said city, under the corporate seal thereof; said bonds shall be made payable in not less than ten years and not more than twenty years from the date of their issue, and bear interest at a rate not exceeding five per centum per annum; said bonds shall be signed by the president of said board, and attested by the city comptroller, and shall be secured by the pledge of the faith of the city and a tax, which it shall be the duty of the council of such city annually to levy upon all the taxable property of such city, and certify the same to the county auditor, upon a certificate to that effect from the trustees of the sinking fund of such city as to the amount necessary to pay the interest thereon and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

Sale of bonds.

4. Said board of public affairs shall receive bids for said bonds, after advertising the same for sale, once per week for four consecutive weeks, on the same day of the week in some newspaper of general circulation in said city, and shall sell the same for not less than the par value thereof, with accrued interest, to the highest bidder. The money arising from the sale of said bonds shall be placed in a fund to be called "the granite pavement fund"; and shall be paid out for improvements contemplated by this act, and for no other purpose whatever.

Granite pavement fund.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 257].

AN ACT

To amend an act entitled "an act to establish a school of mines and mine engineering in the Ohio agricultural and mechanical college," passed May 7, 1877.

Ohio state university: establishment of a school of mines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the Ohio state university be and they are hereby required to establish in said university, a school of mines and mine engineering, in which shall be provided the means for studying scientifically and experimentally the survey, opening, ventilation, care and working of mines; and said school shall be provided with a collection of drawings, illustrating the manner of opening, working and ventilating mines, and with the necessary instruments for surveying, measuring air, examining and testing the noxious and poisonous gases of mines, and (also) with (the) models of the most improved machinery for ventilating and operating (all the various kinds of) mines with safety to the lives and health of those engaged. Said school shall also be provided with complete mining laboratories for the analysis of coals, ores, fire-clays and other minerals, and with all the necessary apparatus for testing the various coals, ores, fire-clays, oils, gases, and other minerals.

Course of study; school apparatus, etc.

Employment and duties of instructors.

SECTION 2, Said trustees shall employ competent persons to give instruction in the most (improved and) successful methods of opening, (and operating,) surveying and inspecting mines, including the methods and machinery employed for extracting coal, ore, fire-clay, oil, gas and other minerals from the pit's mouth and for facilitating the ascent and descent of workmen, the draining and freeing of mines from water, the causes of the vitiation of air, the quantities of fresh air required under various circumstances, natural ventilation, mechanical ventilation by flues and fans, and other ventilating machinery, the use of air engines, air compressors and coal cutting machinery; also instruction in the various uses of coals, ores, fire-clays, oils, gases and other minerals, and the methods of testing, analyzing and assaying such minerals; also the methods employed in metallurgical and other processes in the reduction of ores and in determining the qualities of metals, particularly iron and steel, as shown by practical and laboratory tests; and there shall be kept in a cabinet properly arranged for ready reference and examination, suitably connected with said school of mines, (samples of the) specimens from the various mines in the state, which may be sent for analysis, together with the names of the mines and their localities in the counties from which they were sent, and the analysis and a statement of their properties attached; (it shall also be his duty to furnish analysis of all minerals found in the state and sent to him for that purpose by residents of this state).

Cabinet of specimens to be kept.

Appropriation.

SECTION 3. There is hereby appropriated out of the general revenue fund the sum of three thousand, five hundred dollars ($3,500), to be expended in the equipment, support and maintenance of said school of mines, as provided for in the first and second sections of this act.

SECTION 4. Said original act as passed May 7, 1877, is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT. L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 232].

AN ACT

To reimburse Col. E. J. Ohl, for money expended by him in defending his acts as an officer of the guard, while in the line of his duty during an encampment of the Ohio National Guard.

Appropriation to reimburse Col. E. J. Ohl of the O. N. G.

WHEREAS, While in camp at Rocky river, Cuyahoga county, in 1879, Lieut. Col. E. J. Ohl, of the 10th O. N. G., was regularly detailed as brigade officer of the day, and by order of Col. David W. Thomas, commanding the encampment, Col. Ohl placed a guard around a sutler who was selling whiskey contrary to the law of Ohio for national guard encampments; and

WHEREAS, For said act Col. Ohl and the three guards were arrested, taken to Cleveland, tried and acquitted of the charge of assault and battery, but afterward a civil action being brought against them before a justice of the peace, and judgment rendered for three hundred dollars ($300) damages, Col. Ohl gave bail, and carried the case to the court of common pleas, where, after several continuances, said Col. Ohl, to save further expense, settled the case for himself and the three guards; and

WHEREAS, Said Col. E. J. Ohl asks the state of Ohio to reimburse him for money thus expended by him, amounting to the sum of one hundred and eight dollars and seventy-five cents ($108.75), in defending himself and comrades in said suits; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is appropriated out of

any moneys in the state treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of one hundred and eight dollars and seventy-five cents ($108.75), which is hereby directed to be paid to said Col. E. J. Ohl, in full liquidation of said claim, and the auditor of state is directed to issue his warrant upon the treasurer for the amount named.

SECTION 2. This act shall take effect and be in force [from] and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 303].

AN ACT

Supplementary to section 6968 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted supplementary to section 6968 of the Revised Statutes of Ohio, with sectional numbering as follows:

SEC. 6968*a*. No person shall kill any fish by the use of dynamite or any other explosive mixture, or by the use of any poisonous drug, bait, or food; and any person violating any provision of this section shall be guilty of a misdemeanor, and on conviction shall, for each and every offense, be fined not more than five hundred dollars, nor less than one hundred dollars, and shall be imprisoned for a period not exceeding six months. All fines collected under this act shall go into the fish and game fund.

Penalty for the killing of fish with explosives or poisons.

SECTION 2. This act shall take effect upon its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 5, 1888.

[House Bill No. 515].

AN ACT

To amend section 2301 of the Revised Statutes of Ohio.

Municipalities:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2301 of the Revised Statutes of Ohio be so amended as to read as follows:

Expense of changing established grades, how paid.

SEC. 2301. That when a street, alley, public highway, wharf or landing, within the corporation, is graded, or pavements are constructed in conformity to grades established by the authorities of the corporation, and the expense is assessed on the abutting lots or lands, the owners shall not be subject to any special assessment occasioned by any subsequent change of grade in such pavement, street, alley, public highway, wharf or landing, unless a petition for such change is subscribed by a majority of the owners of such lots or lands; and the expense of all improvements occasioned by such change of grade not so petitioned for shall be chargeable to the general fund of the corporation; provided, that in cities of the third grade of the first class a petition for such change subscribed by the owners of a majority of the feet front of such lots or lands shall have the same effect as when subscribed by a majority of said owners.

Toledo.

SECTION 2. That said original section 2301 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 5, 1888.

[House Bill No 419].

AN ACT

To amend sections 1, 2, 3, and 4 of an act entitled "an act to amend an act, to amend sections 1, 2 and 3 of an act entitled 'an act to provide for the relief of indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines,' passed March 4, 1887, and to amend section 4 of an act passed May 19, 1886 (O. L., v. 83, p. 232,)" passed March 16, 1887 (O. L., v. 84, p. 100), and to amend section 5 of an act entitled "an act to provide for the relief of indigent Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines," passed May 19, 1886 (O. L., v. 83, p. 232).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1, 2, 3 and 4 of the above entitled act, passed March 16, 1887, be amended so as to read as follows:

Levy of tax for relief of indigent soldiers and sailors.

SEC. 1. The board of county commissioners of the several counties in this state is hereby authorized and required to levy, in addition to the taxes now levied by law for other purposes than those herein provided, a tax not exceeding three-tenths, and in counties containing a national soldiers' home not exceeding five-tenths, of one mill per dollar on the assessed value of the property of their respective counties, to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of honorably discharged indigent Union soldiers, sailors and marines, and the indigent wives, parents, widows and minor children under fifteen years of age, of such indigent or deceased Union soldiers, sailors or marines, to be disbursed as hereinafter provided.

Lists of persons entitled to relief, by whom made.

SEC. 2. It is hereby made the duty of the board of trustees of each township, and of the councilmen, or councilman, if there be but one, in each ward in cities, in every such county, or their appointed agent, on the first Monday of May in each year, to make a list of the names of all the indigent Union soldiers, sailors and marines, and indigent parents, wives, widows or minor children of the same, who are resident in such township or ward, and who have been bona fide residents of the state one year, and of the county six months, next prior to said first Monday in May, and who, in their opinion, require aid, and are entitled to relief under the provisions of this act, and to deliver such list to the soldiers' relief commission hereinafter provided, or its secretary, on or before the last Monday in such month of May. And on said last Monday in May, said commission shall meet and determine from said lists the probable amount necessary for the aid and relief of such indigent persons for the ensuing year, together with an amount sufficient, in the judgment of said commission, to furnish relief to any such indigent persons not named in said lists, whose right to such relief shall be established to the satisfaction of such commission. Such commission, after determining the probable amount necessary for the purposes aforesaid, shall certify the same to the county commissioners of the county, who at their June session shall make such levies as shall be necessary to raise the required relief, not exceeding three-tenths, except in counties containing a national soldiers' home not exceeding five tenths, of a mill per dollar on the assessed value of the property of the county.

Determination of amount necessary for such relief.

Amount to be certified to commissioners: date and amount of levy.

Soldiers' relief commission.

SEC. 3. Any judge of the court of common pleas in each of said counties shall, on or before the first Monday in April, appoint three persons, residents of such county, two of whom shall be honorably discharged Union soldiers in the late war of the rebellion, one to serve three years, one to serve two years, and one to serve one year from the date of such appointment, and each year thereafter one person to serve for three years. Such persons so appointed, when organized by the selection of one of their number as president and one as secretary, shall be known and designated as "the soldiers' re-

lief commission;" and in counties containing a national soldiers' home, or counties having a city of the first class, first grade, an assistant secretary may be employed, prescribing his duties and compensation. In the event of a vacancy in said commission, and for cause, a judge of the court of common please may remove any member of the commission and shall fill all vacancies occurring therein; a judge of the court of common pleas shall fill the vacancy for the unexpired term; provided, however, that nothing in this act shall be construed as terminating or abridging the term of office of any present member of any soldiers' relief commission heretofore appointed, except as to removals for cause, and all appointments under this act shall be made with reference to said former appointments as if the same were made under the provisions of this act.

Determination of amounts to be paid each person or family.

SEC. 4. The soldiers' relief commission shall meet at the office of the county commissioners or in a suitable room furnished by them for that purpose, on the fourth Monday of November of each year, and at such other times as may be necessary, and examine carefully the several lists of those reported by the trustees and councilmen, or their agents, and also the cases of all not included in the said lists, who, before and during their session, may have made application to said commission for aid under the provisions of this act; and being satisfied that those so reported or so making application as aforesaid, or any of them, are in need of assistance and are entitled thereto under the provisions of this act, shall fix the amount to be paid per month in each case to person or family. Upon the conclusion of said examination and the determination of said monthly allowance, the commission shall make a complete list of those to whom relief has been so awarded, showing the monthly amount so awarded to each person, and, so far as practicable, the place of residence of each, and certify the same to the auditor of their county, who shall, within ten days thereafter, transmit to the township clerks, in his county, a list of the names of the persons in the respective townships, and the amount payable monthly to each; whereupon, the auditor, on the first day of each month, after said fund is ready for distribution, shall issue to the treasurer of each township his warrant upon the treasurer of the county, for the amount awarded to the persons in such township, and such township treasurer shall disburse the same in the amounts and to the persons named in the list furnished to the township clerk as aforesaid, taking receipts therefor. And to each person certified by the commission to the auditor as aforesaid, and not included in any of the lists furnished to township clerks, the auditor shall issue his warrant upon the county treasurer for the monthly allowance awarded such person; provided, that such commission, upon proper cause shown, may appoint some suitable person to draw, receipt for and properly expend the allowance made to any person under the provisions of this act, for the benefit

Lists of persons to whom relief is awarded; their contents.

Amounts, how and to whom paid.

of the person to whom the allowance has been made and the indigent members of his or her family; and provided further, that said commission at any meeting may increase, decrease or discontinue any allowance theretofore awarded, which action shall be by them certified to the county auditor, who shall amend his list in accordance therewith. And in case such change relate to the allowance to any person resident in any township, the same shall be certified to the township clerk, who shall amend his list accordingly and certify the same to the township treasurer, and if the amount due said township, after such change, increase the amount theretofore allowed said township, the auditor shall issue to the township treasurer his warrant upon the county treasurer for such additional amount; and provided, further, that if any money so awarded as relief shall not be called for by the applicant, the said township trustees and councilmen shall, on the first Monday in December, annually, report to the commission any balance in the treasury, which amounts shall be paid into the county treasury to the credit of the relief fund; and provided further, that "township," as hereinbefore designated, shall include no part of a township embraced within the limits of a city.

Increase or reduction of allowance.

Disposition of amounts uncalled for.

SECTION 2. That section 5 of said act, passed May 19, 1886, be amended so as to read as follows:

SEC. 5. The county commissioners of every such county shall allow the persons composing any soldiers' relief commission appointed under this or previous acts in their respective counties, their actual expenses incurred in the performance of their duties, on the presentation of an itemized statement thereof, and a fair compensation for their services, for the amount of which allowance the auditor shall issue his warrant upon the county treasurer.

Payment of commissioners' expenses.

SECTION 3. That sections 1, 2, 3 and 4 of the said act, passed March 16, 1887, and section 5 of said act, passed May 19, 1886, be and the same are hereby repealed, saving from the operation of such repeal all acts done and allowances made by any soldiers' relief commission prior to the passage of this act.

Acts done and allowances made prior to passage of this act.

SECTION 4. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 5, 1888.

[House Bill No. 500.]

AN ACT

To enact supplementary sections to section 4895 of the Revised Statutes.

Each township in Clinton, Greene, Madison and Warren counties made a road district for repair of roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections shall be supplementary to section 4895 of the Revised Statutes, with sectional numbering as follows:

SEC. 4895*a*. Each township in the counties of Clinton, Greene, Madison and Warren is made a road district for the care and maintenance of all public highways, all macadamized or graveled roads which are free roads, whether constructed under general or local laws by taxation or assessment, or both, or converted by purchase or otherwise from a toll road into a free road under any law, and all turnpike roads or parts thereof, unfinished or abandoned by such turnpike company and appropriated or accepted by the commissioners of the county, and the same shall be kept in repair as herein provided.

Notice to township clerk.

SEC. 4895*b*. Unless such notice has already been given, the auditor of each of said counties shall immediately give notice to the clerk of each township that the trustees are required to take the charge and control thereof; and the auditor shall give the like notice upon the acceptance or appropriation of any other such roads.

Division of townships into road districts.

SEC. 4895*c*. The township clerk, on the receipt of such notice from the auditor, shall immediately notify the township trustees of such fact, who shall, upon receipt of the notice, have full charge and control of all such roads as are herein provided for within their township. The trustees shall divide the township into such number of districts as the best interests of the public roads in their judgment may demand, and shall appoint for each of such districts a suitable person, not one of their own number, who shall be a resident of the district, and shall be known as road superintendent.

Appointment of road superintendents.

Their oath and bond.

SEC. 4895*d*. Each person so appointed shall, before entering upon the duties of his office, take an oath to faithfully discharge the duties thereof, and give bond to the state of Ohio in a sum satisfactory to the trustees of the township, not less than five hundred dollars, with sureties as the trustees shall require, which bond shall be filed with the township clerk.

Powers and duties of superintendents.

SEC. 4895*e*. When properly qualified the road superintendent shall have full control under the trustees of all such roads within his district, and shall keep them in good repair and condition for all kinds of public travel, and for this purpose he shall have all the powers and privileges of road supervisors for drainage, and for the removal of timber, logs, cord-wood or other obstructions found within the limits of the road from time to time. He may, subject to the will of

the trustees, contract for all material necessary for repairs, and in cases of floods or freshets, giving rise to breaks in the road bed, or washing off large quantities of gravel, he may contract for repairs, either by day or job work, and shall certify the same with itemized account to the trustees, who, upon finding the accounts correct and satisfactory, shall pay them out of the township treasury from funds raised for road purposes. The trustees shall furnish such superintendent with plows, scrapers, or other implements as are necessary for the proper and economical care of the roads. The road superintendent shall at the regular March meeting of the trustees each year, make an itemized report of the receipts and expenditures in his district for road purposes the preceding year; the number of persons in his district who are required by law to perform two days' labor on the public highway, and the number who have performed such labor; the number of miles and the condition for public travel of all roads in his district, and the probable wants of such roads for the ensuing year. The township clerk in his annual statement shall specify the amount of money received and expended for road purposes in each district of the township. The road superintendent shall receive for his services under the preceding sections one dollar and seventy-five cents per day for the time actually employed in the care of such roads, and no more, which shall be paid out of the road funds of such township.

Contracts for material and repairs; payment.

Implements.

Annual report.

Annual statement of township clerk.

Compensation of superintendent.

SEC. 4895*f*. Any such road superintendent who neglects or refuses to perform the duties enjoined on him herein, or who, under any pretense whatever, gives or signs any certificate for labor or work performed, or material furnished, when the labor has not been performed or material furnished before the giving or signing of such certificate, shall forfeit for every such offense, not less than five dollars nor more than fifty dollars, to be recovered by an action before a justice of the peace within the township where such superintendent resides, and the trustees of the township shall prosecute all offenses against the provisions of this section. The trustees may at any time remove such road superintendent for cause.

Penalty for his neglect of duty; for giving false certificates of work done.

Removal.

SEC. 4895*g*. The township trustees shall provide means for keeping in repair all such roads within their township, and in addition to the two days' labor required by law, which shall be worked under the direction of the road superintendent in their respective districts, they shall levy upon the taxable property of the township, a sum sufficient for said purpose, not to exceed two mills on the dollar in any one year, and the same shall be collected as other taxes, and when collected shall be paid by the county treasurer to the township treasurer upon the order of the county auditor. The trustees, in determining the division of the fund, shall be governed, not by the number of miles of road in each district, but by the necessities of the roads, the convenience of getting material, the quality of the material necessary to make substantial repairs, and shall make a just and equitable division

Levy for township road fund.

Division of the fund.

Expenditure of the fund.

of the fund between the districts. In expending the funds provided in this section, the road superintendent shall give preference to those from whom the tax is collected, and for day work shall pay such amount as shall be fixed by the trustees, which shall be uniform throughout the township.

Repair of bridges and culverts.

SEC. 4895*h*. The superintendent shall keep in repair all culverts necessary for the travel and convenience of such roads; his authority shall extend to the repairing of bridges and culverts in all cases wherein the expenditure of money shall not exceed twenty dollars. He shall have power to contract for the necessary material and labor therefor, and certify the same, together with an itemized account of the expenses incurred to the county auditor, who, upon finding the account proper and correct, and in conformity with the provisions of this section, shall, upon the order of the county commissioners, issue an order on the county treasurer for the amount of such certificate, or so much thereof as may be allowed by them in favor of the party to whom such certificate was issued.

How paid for.

Office of road supervisor abolished.

SEC. 4895*i*. In the counties enumerated in section 4895*a* the office of road supervisor is abolished, and the trustees in their notice of election for township officers, each year shall omit the office of road supervisor in their notice. The road superintendent, as provided for in section 4895*c*, is invested with all the powers and privileges that are conferred by law upon supervisors.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 507].

AN ACT

To amend section four hundred and forty of the Revised Statutes of Ohio.

Supreme court:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four hundred and forty of the Revised Statutes of Ohio be amended so as to read as follows:

Order in which cases shall be docketed and heard.

SEC. 440. All cases brought in or taken to the court shall be entered on the docket in the order in which they are commenced, received, or filed, and they shall be taken up and disposed of in the same order, except that the court may take

up and dispose of the following classes of cases in advance of their order on the docket: cases where the persons seeking relief have been convicted of felony; cases involving the validity of any tax levied, or assessment made, or the power to make such levy or assessment; cases involving the construction or constitutionality of any statute, or any question of practice, where the questions arising are of general public interest; and proceedings in quo warranto, mandamus, procendo [procedendo?] or habeas corpus; and cases of general interest to the public, when two or more of the circuit courts of the state have held the law directly opposite upon like facts; and where the relief sought is damages for personal injury, or for death caused by negligence, and the person injured makes affidavit that he is, or, in case of death, the widow, or any of the next of kin to the deceased makes affidavit that they are, dependent for their livelihood upon their daily labor; and where any case is reached in its order, and there are other cases on the docket involving the same question, or some of them, the latter may be taken out of their order and disposed of with the case so reached; and when a case is disposed of, and again comes into the court, it shall be taken up as if it had retained its original place on the docket.

Cases which may be heard out of their order.

SECTION 2. That original section 440 of the Revised Statutes of Ohio be and the same is hereby repealed.

SECTION 3. This act shall be in force and take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 391.]

AN ACT

To provide for the transfer of the custody and control of the Western Reserve and Maumee state road in trust, to the counties through which said road is located.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever and as soon as the county commissioners of the counties of Sandusky and Wood shall officially accept and deposit a certificate to that effect with the secretary of state of the state of Ohio, the Western Reserve and Maumee state road shall be thereby transferred in trust to said counties, from and after the first day of December, A. D. 1888; provided, such acceptance shall be filed on or before the first day of May, A. D. 1888, and said road forever maintained as a [free] public highway.

Transfer of Western Reserve and Maumee state road to Sandusky and Wood counties.

Power of commissioners of said counties over said road.

SECTION 2. That all the authority, powers and control which are now vested in the state board of public works under the laws of this state, having reference and applicable to said road, shall be vested in the county commissioners of the respective counties; and the county commissioners of each county within which any part of the said road is situated shall, respectively, have the control and management of such portion of said road as is within their respective counties, from December 1st, 1888.

Mode of control and repair of said roads.

SECTION 3. That upon and after December 1st, 1888, the county commissioners of the several counties of Sandusky and Wood are hereby authorized and required to take charge of, manage, keep in repair, and control so much of said road separately as lies within their respective counties, in the manner prescribed by chapter 10 of the Revised Statutes of Ohio, providing for the repair of improved roads; provided, that in the county of Wood, if the county commissioners so determine, so much of said road as lies therein, may be kept in repair in the manner provided by sections 4890, 4891, 4892, 4893, 4894 and 4895, in said chapter 10, of the Revised Statutes of Ohio.

Commissioners empowered to accept the transfer.

SECTION 4. The county commissioners of the said counties of Sandusky and Wood are hereby authorized and empowered to accept the transfer from the state of Ohio of said Western Reserve and Maumee state road.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[Senate Bill No. 155.]

AN ACT

To amend section 3240 of the Revised Statutes of the State of Ohio, as amended March 26th, 1883.

Corporations not for profit:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-two hundred and forty of the Revised Statutes of Ohio, as amended March 26, 1883, be amended so as to read as follows:

First election of trustees; term and number.

SEC. 3240. A majority of the subscribers of the articles of incorporation of a corporation formed for a purpose other than profit, may elect not less than five trustees of the corporation, who shall hold their office till the next annual election

or until their successors are elected and qualified; but in the case of religious corporations and institutions incorporated for the purpose of promoting education, science or art, the regulations of such corporations may provide for the length of time said trustees shall hold their offices, the term thereof not to exceed in number of years the number of such trustees; provided, that lodges, societies or bodies of any secret or benevolent order, incorporated under the laws of this state, may elect such number of trustees, not less than three, as may be provided in the laws or regulations governing such lodge, society or body, and the election of such trustees may be held at the time specified in such laws or regulations.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 137].

AN ACT

To amend section 7362 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7362, which passed and took effect February 7, 1885, be amended to read as follows:

SEC. 7362. Upon the filing of such petition in error in the supreme court, the execution of sentence shall, in cases of felony, be thereby suspended; and in cases of misdemeanor, the court or judge allowing the motion shall order such suspension; but no proceedings in error in any other court shall suspend execution of sentence, unless, in capital cases, such suspension be for good cause shown, and on motion, and notice to the prosecuting attorney of the proper county, ordered by a majority of the judges of the circuit court of the county, and in other cases in such court by one judge thereof, and in cases in the common pleas court by one of the judges of such court; and in all cases of conviction for felony, except for murder in the first and second degree, where sentence has been or may hereafter be suspended, the judge who presided on the trial of the case may, in his discretion, admit the defendant to bail, conditioned that the defendant

Suspension of sentence in criminal cases.

In what cases of felony defendant may be admitted to bail.

will prosecute his petition in error to effect and surrender himself to the custody of the proper officer of the county in which the conviction was had, in case such judgment against him be not reversed or a new trial ordered.

SECTION 2. That said section 7362, passed February 7, 1885 (vol. 82, p. 39), be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 716]

AN ACT

To authorize the issue of bonds to meet deficiencies in the general revenue fund.

Issue of bonds to meet deficiencies in general revenue fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the sinking fund are hereby authorized and empowered to borrow from time to time such sum or sums of money as may be necessary to supply casual deficits in the general revenue fund, not exceeding, however, in the aggregate the sum of two hundred and fifty thousand dollars ($250,000), or so much thereof as they may deem necessary; provided, however, said sum shall not be borrowed for a longer period than until July 1, 1888, and at a rate of interest not exceeding five per cent. per annum.

SECTION 2. The interest and the amount so borrowed shall be paid when due out of the sinking fund.

SECTION 3. The money so borrowed shall immediately be placed to the credit of the general revenue fund.

SECTION 4. Said commission shall on behalf of the state issue for the money so borrowed, certificates of indebtedness, which shall be signed by the said sinking fund commission and attested by the governor.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 387].

AN ACT

To prohibit the sale of cigarettes and tobacco to minors.

Prohibiting sale of cigarettes and tobacco to minors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whoever sells, gives or furnishes to any minor under fifteen years of age, any cigarette, cigar or tobacco, shall be fined not less than five dollars nor more than twenty-five dollars, or imprisoned not more than thirty days, or both.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 355.]

AN ACT

To amend section 2 of an act entitled "an act to amend section 1 of an act entitled 'an act to provide for the relief of disabled firemen in cities of the second grade of the first class,' as amended April 16, 1881 (78 O. L., 137), and to amend sections 2 and 3 of said original act (77 O. L., 309)."

Cincinnati, Cleveland and Dayton:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of an act entitled "an act to amend section 1 of an act entitled 'an act to provide for the relief of disabled firemen in cities of the second grade of the first class,' as amended April 16, 1881, and to amend sections 2 and 3 of said original act," be amended so as to read as follows:

Board of trustees of the firemen's relief fund.

SEC. 2. The persons who, from time to time, comprise the board of fire commissioners of the city, and two members of the fire department, to be elected by the members of said department, on the first Tuesday of January of each year, except the first election, which shall take place within thirty days from the passsage of this act, shall constitute and be a board for the distribution of said fund, to be called the board of trustees of the firemen's relief fund, and the president and secretary of said board of fire commissioners shall be the president and secretary of said board of trustees. It is hereby made the duty of the secretary to keep a full record of all the proceedings of said board of trustees, and all action taken

President and secretary.

Investment of the fund.

Custody of securities in Cincinnati.

by it in regard to said fund, and said board shall have power to draw such fund from the treasury of said city on the warrant of the president, countersigned by the secretary, and may invest the same in interest bearing bonds of the United States, state of Ohio, and in those of said cities, and shall make report to the city council of the condition of said fund on the first day of January of each year. And in cities of the first grade of the first class, it shall be the duty of the trustees of the sinking fund of said cities, upon application being made to them for that purpose by the trustees of the firemen's relief fund, to receive such bonds and safely keep the same, and deliver the same to said board of trustees of the firemen's relief fund only on the order of said board, signed by the president and two members thereof, and countersigned by the secretary.

SECTION 2. That said original section 2 be and the same is here repealed; and this act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate

Passed April 10, 1888.

[House Bill No. 5].

AN ACT

To secure a fuller and better return of property for taxation, and prevent omissions of property from the tax duplicate.

Authorizing employment of tax inquisitors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners, county auditor and county treasurer, or a majority of said officers in any county, when they have reason to believe that there has not been a full return of property within the county for taxation, shall have power to employ any person to make inquiry and furnish the county auditor the facts as to any omissions of property for taxation and the evidence necessary to authorize him to subject to taxation any property improperly omitted from the tax duplicate; no payment to be made for such services except in accordance with the terms of agreement between the officers, or a majority of them and such person, and such payment shall be made only out of money actually paid into the county treasury as taxes on such omitted property, and such compensation shall not exceed

Their compensation.

20 per cent. of the amount of such taxes, on the returns of omitted moneys, credits, investments in bonds, stocks, joint-stocks, annuities or other valuable interests, held by a resident of this state or by others for him; and all such allowances shall be apportioned ratably by the county auditor among all the funds entitled to share in the distribution of such taxes.

Penalty for tax omissions.

SECTION 2. Any assessor who shall willfully omit to return any property for taxation, or any auditor who shall willfully omit any property from the tax duplicate that is liable to taxation, or any persons conspiring to willfully increase the number or amount of any tax omissions shall, upon conviction thereof, pay a fine not exceeding two hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or both.

Bond of tax inquisitor.

SECTION 3. The person or persons with whom the contract provided for in section one of this act is made, shall, before entering upon such employment, give bond, to the state, in the sum of one thousand dollars, conditioned on the faithful performance of the duties required by the contract; said bond shall be approved by a majority of those authorized to make the appointment and filed with the county auditor.

SECTION 4. This act shall not in any manner affect the provisions of sections 1343*a* and 1343*b* of the Revised Statutes of Ohio as enacted April 20, 1885 (82 v. 152).

SECTION 5. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 271].

AN ACT

To amend section 409 of the Revised Statutes of Ohio.

Commissioners of fisheries:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four hundred and nine of the Revised Statutes of Ohio be so amended as to read as follows:

Their annual report.

SEC. 409. The commissioners shall, annually, on or before the 15th day of January, make to the governor a report of their proceedings for the preceding year, giving in detail their labor and operations, with such suggestions as they deem proper, and also a detailed statement of expenditures; and their report shall be published with the report of the

state board of agriculture. The commissioners shall, at their annual meeting in January, or at any other time, appoint a fish and game warden in each county in the state, who shall hold his office for two years, unless sooner removed, and they shall also appoint a special warden for Lake Erie and for the Mercer county, Lewistown, Six-mile, Licking, Laramie and Sippo reservoirs of the state; each warden shall, before entering upon the discharge of his duties, give a bond to the state, with sureties to the satisfaction of the commissioners, in the sum of two hundred dollars, conditioned for the faithful performance of the duties of his office, which bond shall be deposited with the commissioners; it shall be the duty of the wardens, under the general direction of the commissioners, to appoint such assistants as they may require to assist them in policing the territory, both land and water, of their respective counties and territories, arresting wherever found in the state all violators of the laws of the state enacted for the protection of fish and game; and the commissioners shall appoint, if in their judgment it is desirable, a chief warden, who shall hold his office for one year, unless sooner removed, at a salary of not more than one thousand, two hundred dollars per annum, payable quarterly, and he shall be allowed a sum not exceeding six hundred dollars per annum for expenses. The salary and expenses of the chief warden shall be paid out of the fund set apart for the use of the commissioners. The chief warden shall, before entering upon the discharge of his duties, give a bond to the state in the sum of two thousand dollars, conditioned for the faithful performance of his duties, which bond shall be deposited with the commissioners. It shall be the duty of the chief warden, under the general direction of the commissioners, to visit any and all parts of the state, assist the county and reservoir wardens, and arrest, wherever found in the state, all violators of the laws of the state enacted for the protection of fish and game, and to assist, when so ordered, in the work of propagation and transfer of fish. Each warden shall, annually, on or before the first day of December of each year, make a detailed report to the commissioners of their respective labors, number of arrests made, number of convictions, with such other suggestions as they may deem proper; the compensation of the county wardens shall be from fees the same as are paid the sheriffs of their respective counties for similar services, to be paid from the fish and game fund, which shall be made up from fines arising from convictions for violation of the fish and game laws; and the county commissioners shall, upon the recommendation of the fish and game commissioners, allow to their county warden a salary not exceeding three hundred dollars per annum, which salary shall be paid quarterly, upon the warrant of the county auditor on the certificate of the fish and game commissioners, out of the fish and game fund. And the fish and game commissioners may pay to the Lake Erie warden and to each of the wardens of the reservoirs, from the state fund set apart for their use, a

Appointment of fish and game wardens.

Their bonds.

Duty of wardens; assistants.

Chief warden; his salary and expenses.

His bond.

Duty of chief warden.

Annual reports of wardens.

Compensation of wardens.

salary not exceeding three hundred dollars per annum, payable quarterly; and if in the judgment of the commissioners special class shall be entitled to to increased compensation, it shall be paid by them out of the state fund set apart for their use.

SECTION 2. That section 409 be and the same is hereby repealed.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 674].

AN ACT

To amend section 2805 of the Revised Statutes, as amended May 19, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2805 of the Revised Statutes, as amended May 19, 1886, be amended so as to read as follows:

Annual city boards of equalization:

SEC. 2805. In each city of the first and second class, there shall be an annual board for the equalization of the value of real and personal property, moneys or credits in such city, to be composed of the county auditor and six citizens of such city, appointed by the council thereof, the first appointments to be, two for one year, two for two years, and two for three years, except in cities in which such boards are already organized, where two shall be appointed for three years, and two thereafter shall be annually appointed for three years, and all vacancies shall be filled for the unexpired term; provided, that the provisions of this act shall not effect any person or persons heretofore appointed, and now in office, during the time for which they shall have been appointed; said board shall be governed by the rules, provisions and limitations prescribed in the next preceding section, for the annual county board; each member of said board is authorized to administer oaths, and said board is empowered to equalize the value of real and personal property, moneys and credits within such city, and shall annually meet at the office of the county auditor on the fourth Monday in May, except in cities of the first and second grade of the first class, when it shall meet on the fourth Monday in May, and shall close its session on or before the second Monday of September; in cities

How constituted and organized.

Vacancies; members now in office.

Regulations.

Oaths; duties; time of meeting; close of session.

of the third grade of the first class, and cities of the first and second grades of the second class, and cities having a population of twenty thousand and over by the last federal census and which have not been by ordinance advanced to a city of the second grade, second class, said board shall close its session on or before the first Monday of August; and in cities of the third and fourth grades of the second class, said board shall close its session on or before the fourth Monday in June, then next following; for each day necessarily employed in the performance of their duties, the members of said board shall each receive in cities of the first class, and in first and second grades of the second class, and in cities having a population of twenty thousand and over, ascertained as aforesaid, and which have not been advanced to a city of the second grade, second class the sum of five dollars per day; and in cities of the third and fourth grades of the second class, the sum of three dollars per day; and in cities of the first class, first grade, the auditor shall receive no compensation as a member of the board, but the board may appoint all such messengers and clerks as it may deem necessary, not exceeding six of each, for the proper performance of the duties of said board, who shall receive three dollars per day for their services for the time actually employed, which shall be paid out of the county treasury. That in addition to the clerks herein authorized, the auditor of the county having a city of the first grade of the first class shall appoint a clerk, who shall be styled the chief clerk of the board of equalization, at a salary of five dollars for each day's services performed.

Compensation.

Power of auditor of Hamilton county to appoint chief clerk and other employes.

SEC. 2805*a*. And in each city of the first and second grade, class first, the county auditor may, whenever he may deem it necessary to, call together the annual city board of equalization on the first Monday of December of each year; and the said board, when so called together, shall sit as a board of revision of such acts done by it as a board of equalization at the previous meeting thereof, as the county auditor may present to it for its revision. But before acting as a board of revision, the members thereof shall be sworn, by a competent officer, to a faithful discharge of their duties as such board, and any refunder, abatement, or change of value, which said board of revision may recommend to be made, shall be deemed and held in a case of refunder or abatement, to be sufficient authority for the county auditor to issue his order of refunder or abatement on the county treasurer, and in case of change of value, such recommendation of change by said board, shall be deemed and held sufficient authority for said officer to enter the same in his book of additions and deductions; and all acts of the said board of revision shall be subject to an appeal, through the county auditor, to the auditor of the state; said board of revision shall have power to administer any oath which it may deem necessary to the proper discharge of its duties; it shall not continue in session for a longer time than four weeks. Public notice shall be given

Power of the Cincinnati and Cleveland boards as boards of revision.

by the county auditor of each meeting of said board, and its members shall be paid the same amount per day, as when sitting as a board of equalization.

SECTION 2. Sections 2805 and 2805*a* of the Revised Statutes of Ohio are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 354].

AN ACT

To authorize the city council of any city of the second class and fourth grade, which by the federal census of 1880 had, and which by any subsequent federal census may have a population of 6803, to borrow money and issue bonds therefor, for the purpose of sinking wells for natural gas, purchasing those already sunk, purchasing pipes already laid, and buying and laying pipes, and supplying said city and the citizens thereof with natural gas for public and private use.

Lancaster authorized to issue natural gas bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second class and fourth grade, which by the federal census of 1880 had, and which by any subsequent federal census may have a population of 6803, are hereby authorized to issue its bonds for an amount not exceeding fifty thousand dollars, for the purpose of sinking wells for natural gas, purchasing those already sunk, purchasing pipes already laid, buying and laying pipes, and constructing the necessary buildings, fixtures and machinery to supply such city and the citizens thereof with natural gas for public and private use.

Question of issue to be submitted to vote.

SECTION 2. Before any such bonds shall be issued, the question of using [issuing?] the same shall be submitted to a vote of the qualified electors of such city, at a special election, to be held at such time as the council of said city shall appoint. The tickets voted shall have printed thereon the words, "Authority to issue bonds—Yes;" or, "Authority to issue bonds—No." If the proposition to issue bonds be approved by two-thirds of those voting upon the proposition, the city shall have authority to issue said bonds for the purpose named, as provided in this act.

Notice and conduct of such election.

SECTION 3. The council of said city shall publish notice of the submission of such question in two newspapers published in said city, for at least ten days prior to such election; and said election shall be held in all respects, not otherwise

herein provided, as municipal elections are now required to be held by law in said city.

Issue of bonds.

SECTION 4. Said bonds, when so authorized, shall be issued by the council of said city, in denominations not less than five hundred or more than five thousand dollars, payable in such times, not exceeding twenty-five years, as the council shall provide, with interest not exceeding six per cent, per annum, payable semi-annually, principal and interest payable at such place as the council may determine: they shall express upon their face the purpose for which and the act under which issued, and shall be signed by the mayor, and countersigned and registered by the clerk of the city, and shall not be sold for less than their face value.

Limitation on such issue.

SECTION 5. No more of such bonds shall be issued or sold than is necessary for and required by the actual cost and expense of sinking and purchasing such number of wells as may be required for the purpose named, the purchase of pipes already laid, and buying and laying of pipes, and other necessary expenses; they shall be sold from time to time, as is made necessary by the progress of the works, and in such amounts as shall be required and made necessary by the progress and for the proper completion of the works; and all proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of the necessary expense for the supply of gas for the purpose aforesaid.

Sale of bonds; application of proceeds.

Payment of the principal and interest.

SECTION 6. All moneys collected or received by the trustees of gas works of said city, from the city or the citizens thereof, for gas furnished and consumed for public or private use, and all net income and profits arising therefrom, shall be applied to the payment of such bonds and interest, and the council of such city is hereby authorized to levy a tax annually, not exceeding three mills on the dollar valuation of taxable property within said city, in addition to the tax now by law authorized to be levied, in such amount as will each year be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds.

Sinking fund.

SECTION 7. All moneys so applicable to its payment of such bonds, which shall come into the hands of such board of trustees, before such bonds or any of them become due, shall be used to purchase such bonds, or invested under the order of the council as a sinking fund, to be applied to the payment of such bonds as they become due.

SECTION 8. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[Senate Bill No. 213].

AN ACT

To amend section 4673 of the Revised Statutes of Ohio, as amended March 29, 1886 (O. L. 83, page 45).

Petition for township road:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4673 of the Revised Statutes be so amended as to read as follows:

Bond required.

SEC. 4673. On such petition being presented to the trustees, a majority of whom shall constitute a quorum for the transaction of all business of which they have jurisdiction, and they being satisfied that proper notice has been given, as aforesaid, they shall cause the petitioner to enter into bond, with sufficient surety, payable to the state, for the use of the township, and conditioned that the person or board of education making such application shall pay the amount of all costs and expenses of the view and survey of the road.

SECTION 2. That said original section 4673, as amended March 29, 1886 (O. L. vol. 83, page 45), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 62].

AN ACT

To amend section 2232 of the Revised Statutes of Ohio, as passed March 8, 1887,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2232 of the Revised Statutes of Ohio be so amended as to read as follows:

Purposes for which real estate may be appropriated by municipal corporations.

SEC. 2232. Each city and village may appropriate, enter upon, and hold, real estate within its corporate limits for the following purposes, but no more shall be taken or appropriated than is reasonably necessary for the purpose to which it is to be applied:

1. For opening, widening, straightening, and extending streets, alleys, and avenues; also for obtaining gravel or other material for the improvement of the same, and for this pur-

Purposes for which municipalities may appropriate realty.

pose the right to appropriate shall not be limited to lands lying within the limits of the corporation.

2. For market space.

3. For buildings and structures required for the use of the fire department.

4. For public halls and necessary offices.

5. For prisons.

6. For infirmaries.

7. For work-houses.

8. For houses of refuge and correction.

9. For public hospitals.

10. For public parks, after the proposition to purchase and appropriate has been voted upon and endorsed by a majority of the voters in the village or city proposing to so appropriate land, after a notice of not less than thirty days, given in two newspapers of opposite politics, if there be such published in said village or city, or in writing, in which the purchase price of said land, as agreed upon, shall be stated; and for this purpose the right to appropriate shall not be limited to lands lying within the limits of the corporation.

11. For gas-works.

12. For water-works; and for this purpose the right to appropriate shall not be limited to lands lying within the limits of the corporation.

13. For school-house sites and grounds, and for this purpose the board of education shall select the site and recommend the appropriation; and for university sites and grounds, and for this purpose the board of directors of a university whose property is exclusively owned, and whose directors are appointed, by the municipal corporation, shall select the site and recommend the appropriation.

14. For public cemeteries; for which purpose the right to appropriate shall not be limited to land lying within the corporation; but no land shall be appropriated under this provision until the court is satisfied that suitable premises cannot be obtained by contract upon reasonable terms; and no lands shall be appropriated upon which there may be a dwelling-house, orchard, or nursery, or any valuable mineral or other medicinal spring, or well actually yielding gas, oil, or salt water; nor shall land be appropriated for such purpose within one hundred yards of any dwelling-house.

15. For public wharves and landings on navigable waters.

16. For levies [levees?] to protect against floods; and for this purpose the corporation shall have power to appropriate, enter upon, and take, private property lying outside of the corporate limits, and may extend and strengthen its levies [levees?] and embankments along a river or stream adjacent to the limits of the corporation, and may widen the channel of such river or stream.

17. For necessary bridges.

18. For constructing, opening, excavating, improving, deepening, enlarging, staightening, and extending any canal, ship canal, or water-course, located in whole or in part within the

limits of the corporation, which is not owned in whole or in part by the state, or by a company or individual authorized by law to make such improvement. Purposes for which municipalities may appropriate realty.

19. For sewers, drains, and ditches; and for this purpose the corporation shall have power to appropriate, enter upon, and take, private property lying outside of the corporate limits; but no lands not subdivided in lots or parcels of more than ten (10) acres, or tenements annexed or appropriated, shall be taxed at a higher rate than that in the township from which said lands and tenements were taken, so long as said lands and tenements are used for agricultural purposes only.

20. For public urinals, water-closets, and privies.

21. For lighting for any public use.

SECTION 2. That said original section 2232 be and the same is hereby repealed; and this act shall be in force and take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 197].

AN ACT

To supplement section 4112 of the Revised Statutes of Ohio, with sectional numbering as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4112 of the Revised Statutes be supplemented, with sectional numbering as follows:

SEC. 4112*a*. That all leases and licenses and assignments thereof, or of any interest therein heretofore executed, given or made, for, upon, or concerning any lands or tenements in this state, whereby any right is given or granted to operate, or to sink or drill wells thereon for natural gas and petroleum or either, or pertaining thereto, shall be recorded in the lease record in the office of the recorder of the proper county by the first day of September, 1888, and all such leases, licenses and assignments hereafter executed, given or made, shall be filed for record as aforesaid, forthwith, and recorded in said lease record, without delay, and shall not be removed until recorded, and no such lease or license hereafter executed or given, unless the person claiming thereunder is in actual and open possession, shall have any force or validity until the same is filed for record as aforesaid, except as between the parties thereto, nor shall any such lease or license heretofore

Requiring leases of natural gas and oil lands to be recorded.

Validity of unrecorded leases.

executed or given and not recorded by the first day of September, 1888, have any force or validity thereafter until filed for record, except as between the parties thereto, and as to persons claiming thereunder and in actual and open possession; and the plaintiff in an action brought after September 1, 1888, to cancel such lease or license heretofore given, or in any way involving the same, or in an action brought at any time after sixty days from this date, to cancel such lease or license hereafter given, or in any way involving the same, shall only be required to make the person or persons defendants, so far as such lease or license may be involved, who claim thereunder and are in possession as above stated, and those who then appear of record, or by the files in said office, to own or have an interest in such lease or license, to fully and finally adjudicate and determine all questions made or involved therein concerning such lease or license, and in case there be no person in possession and claiming as above specified, and no record or writing or file as above stated and required, then so far as such lease or license is involved, it shall only be necessary to make the original lessee or licensee defendant, to fully and finally adjudicate and determine all questions made or involved concerning such lease or license.

Parties defendant to suits to cancel leases.

SECTION 2. This act shall take effect upon its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 55.]

AN ACT

To amend section 5719, as amended March 13, 1882.

Widows and widowers may elect to be endowed out of the proceeds of the sale of real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 5719 of the Revised Statutes of the state of Ohio, as amended March 13, 1882, (79 O. L., 37,) be amended so as to read as follows:

SEC. 5719. In actions for partition, when the estate cannot be divided, and is ordered to be sold, and in actions for the sale of real estate by executors, administrators and guardians, and in all other actions and proceedings wherein the court may order the sale of real estate to satisfy any judgment or decree, the surviving husband or widow of any decedent who has a dower interest therein, being a party, may

file his or her answer, and waive the assignment of dower by metes and bounds, and ask the court to have the estate sold free of dower, and to allow him or her, in lieu thereof, such sum of money out of the proceeds of the sale as the court deems the just and reasonable value of his or her dower interest therein.

SECTION 2. That said amended section 5719 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 9].

AN ACT

To amend section 5301, as amended March 11, 1887, and section 5302 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5301 of the Revised Statutes, as amended March 11, 1887, and section 5302 thereof, be amended so as to read as follows:

Civil procedure:

SEC. 5301. When the decision is not entered on the record, or grounds of objection do not sufficiently appear in the entry, or the exception is to the opinion of the court on a motion to direct a nonsuit, to arrest the testimony from the jury, or for a new trial for misdirection by the court to the jury, or because the verdict, or if a jury is waived, the finding of the court is against the law and the evidence, or the omission or rejection of evidence, the party excepting must reduce his exceptions to writing, and present the same to the trial judge or judges for allowance, within thirty (30) days from the end of the term at which the verdict is rendered or the finding of the court is made; provided, further, that in case the trial judge or judges be absent from the district when such bill of exceptions is so prepared for allowance, then the same may be deposited with the clerk of the court for the examination and allowance of such trial judge or judges, who shall be required to sign and seal said bill of exceptions on or before the first day of the next ensuing term of court.

When bill of exceptions must be presented for allowance.

In case of absence of trial judge or judges.

Time of its allowance and signing; filing and record.

SEC. 5302. If the exception be true, or, if it be not true, then after it is corrected, the trial judge, or a majority of the judges composing the court, must allow and sign it before the case proceeds, or, if the party consents, within thirty days after the term, or, in case of the absence of the trial judge or judges from the district, as provided in the preceding section, then on or before the first day of the next ensuing term. The bill of exceptions shall be filed with the pleadings, and, if the party request it, made part of the records [record?] but not spread upon the journal; and if it is to be signed after the term, the journal must be kept open and the allowance and signing thereof entered thereon as of the term.

SECTION 2. That said section 5301, as amended March 11, 1887, and section 5302, of the Revised Statutes, be and the same are hereby repealed.

SECTION 3. This act shall take effect on and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 61].

AN ACT

To regulate the payment of dividends by the directors of corporations, and supplementary to chapter 1, title 2, part 2, of the Revised Statutes of the State of Ohio.

Corporate dividends to be paid from surplus profits only.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall not be lawful for the directors of any corporation organized under the laws of this state to make dividends except from the surplus profits arising from the business of the corporation.

Unpaid interest due corporation not to be included in profits.

SECTION 2. In the calculation of the profits of any corporation previous to a dividend, interest then unpaid, although due, on debts owing to the company, shall not be included.

SECTION 3. In order to ascertain the surplus profits, from which alone a dividend can be made, there shall be charged in the account of profit and loss, and deducted from the actual profits:

Rules for ascertaining surplus profits.

1. All the expenses paid or incurred, both ordinary and extraordinary, attending the management of the affairs and the transaction of the business of the corporation.

2. Interest paid, or then due, on debts owing by the corporation.

3. All losses sustained by the corporation; and in the computation of such losses, all debts owing to the corporation shall be included, which shall have remained due, without prosecution, and no interest having been paid thereon for more than one year, or, on which judgment shall have been recovered, that shall have remained for more than two years unsatisfied, and on which no interest shall have been paid during that period; and no such corporation shall advertise a larger amount of capital stock than has actually been subscribed and paid in.

Prohibiting advertisement of capital not subscribed and paid in.

SECTION 4. Every director who shall violate, or be concerned in violating, any provision in the preceding sections of this act contained, shall be liable personally to the creditors and stockholders respectively, of the corporation of which he shall be a director, to the full extent of any loss they may respectively sustain from such violation.

Penalty for violation of sec. 3.

SECTION 5. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 458].

AN ACT

To amend section 2745 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2745, Revised Statutes, be amended so as to read as follows:

Foreign insurance companies:

SEC. 2745. Every agency of an insurance company incorporated by the authority of any other state or government, shall return to the auditor of each county in which such company does business, or from which it collects premiums, in the month of February, annually, the amount of the gross premium receipts of such agency, for the previous calendar year in such counties, which shall be entered upon the tax list of the proper county, and be subject to the same rate of taxation for all purposes that other personal property is subject to, at the place where located, for the year in which such premiums are received. And the whole of such tax shall be due and payable on the twentieth day of December next en-

Taxation of their gross premium receipts.

suing; provided, that in making the first return under this act, no company shall be required to make a return of receipts previously placed upon the duplicate, under the act to which this is amendatory, requiring the return to be made in the month of May. And it shall be the duty of the county auditor, in the month of March, to certify to the superintendent of insurance, the amount of receipts returned under this act by each company, with the rate charged against the same; and it shall be the duty of the superintendent of insurance in the month of April, annually, to charge and collect from all such companies such a sum, as added to the sum payable to the county treasuries, will produce an amount equal to two and one-half per cent. on the gross premium receipts of such companies, as shown by their annual statement under oath, to the insurance department; provided, however, that if by the laws of any other state, territory or nation, a larger tax than two and one-half per cent. is charged companies organized under the laws of Ohio, then the superintendent of insurance shall charge a like tax upon companies from such state, territory or nation doing business in this state. If any such company refuses to pay said tax after demand therefor has been made, or if it shall make any false statement of its gross premium receipts, the superintendent of insurance shall revoke the license of such company to do business in this state. If at any time said superintendent has reason to suspect the correctness of the return made of the gross premium receipts of any such company, he may, at the expense of the state, make an examination of the books of such company, or of its agents, for the purpose of verifying the same. All taxes collected under the provisions of this section by the superintendent of insurance, shall be paid by him upon the warrant of the auditor, into the general revenue fund of the state.

Duty of county auditor and superintendent of insurance.

SECTION 2. Said original section 2745 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after December 31, 1888.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 11, 1888.

[House Bill No. 162].

AN ACT

To amend section[s] 297, 301 and 6871 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That sections 297, 301 and 6871 of the Revised Statutes of Ohio, as amended by acts passed May 1, 1885, and May 17, 1886, be and the same are hereby amended so as to read as follows: Mines:

SEC. 297. It is unlawful for the owner or agent of any coal mine, worked by shaft, to employ or permit any person to work therein, unless there are, to every seam of coal worked in each mine, at least two separate outlets, separated by natural strata of not less than one hundred feet in breadth, by which shafts or outlets distinct means of ingress and egress are always available to the persons employed in the mine; but it is not necessary for the two outlets to belong to the same mine, if the persons employed therein have safe, ready and available means of ingress and egress by not less than two openings. This section shall not apply to opening a new mine while being worked for the purpose of making communication between said two outlets, so long as not more than twenty persons are employed at any one time in such mine, neither shall it apply to any mine, or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment, so long as not more than twenty persons are employed therein at any one time. The cage or cages, and other means of egress shall at all times be available for the persons employed, where there is no second outlet. The escapement shafts shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets, and such means or appliances for escape shall always be kept in a safe condition; and in no case shall an air shaft, with a ventilating furnace at the bottom, be construed to be an escapement shaft, within the meaning of this section. To all other coal mines, whether slopes or drifts, two such openings or outlets must be provided within twelve months after shipments of coal have commenced from such mine; and in case such outlets are not provided as herein stipulated, it shall not be lawful for the agent or owner of such slope or drift to permit more than ten persons to work therein at any one time. In case a coal mine has but one shaft, slope, or drift, for the ingress or egress of the men working therein, and the owner thereof does not own suitable surface ground for another opening, he may select and appropriate any adjoining land for that purpose, and may make an additional shaft or outlet under, through or upon any Outlets required.

intervening land, or landing adjoining, and shall be governed in his proceeding in appropriating such land by the provisions of law in force, providing for the appropriation of private property by corporations, and such appropriation may be made, whether he is a corporator or not; but no land shall be appropriated under the provisions of this chapter until the court is satisfied that suitable premises can not be obtained upon reasonable terms.

Lighting and ventilation.

SEC. 301. All safety lamps used for examining coal mines, or which are used in any coal mine, shall be the property of the owner of the mine, and shall be under the charge of the agent thereof, and in all mines, whether they generate firedamp or not, the doors use[d] in assisting or directing ventilation of the mine, shall be so hung or adjusted that they will shut of their own accord and cannot stand open; and all main doors shall have an attendant, whose constant duty shall be to open them for transporation and travel, and prevent them from standing open longer than is necessary for persons or cars to pass through; and the mining boss shall keep a careful watch over the ventilating apparatus and the airway, and he shall measure the ventilation at least once a week, at the inlet and outlet, and also at or near the face of all the entries, and the measurements of air so made shall be noted on blanks, furnished by the chief inspector; and on the first day of each month the mining boss of each mine shall sign one of such blanks, properly filled with the said actual measurements, and forward the same to the chief inspector, and any mining boss making false returns of such air measurements shall be deemed guilty of an offense against this section. Every person having charge of any mine, whenever loss of life occurs by accident, connected with the working of such mine, or by explosion, shall give notice thereof forthwith, by mail or otherwise, to the inspector of mines, and to the coroner of the county in which such mine is situated, and the coroner shall hold an inquest upon the body of the person or persons whose death has been caused, and inquire carefully into the cause thereof, and shall return a copy of the finding and all the testimony to the chief inspector. The owner, agent, or manager of every mine shall, within twenty-four hours next after any accident or explosion, whereby loss of life or personal injury may have been occasioned, send notice in writing to the chief inspector, and shall specify in such notice the character and cause of the accident, and the name or names of the persons killed and injured, with the extent and nature of the injuries sustained. When any personal injury, of which notice is required to be sent under this section, results in the death of the person injured, notice in writing shall be sent to the chief inspector within twenty-four hours after such death comes to the knowledge of the owner, agent or manager; and when loss of life occurs in any mine by explosion, or accident, the owner, agent, or manager of such mine shall notify the chief inspector, or the district inspector, forthwith, of the fact, and it shall be the duty of the chief

Notice of accidents.

inspector to go himself, or require one of the district inspectors to go, at once to the mine in which said death occurred, and inquire into the cause of the same, and to make a written report, fully setting forth the condition of the part of the mine where such death occurred, and the cause which led to the same; which report shall be filed by the chief inspector in his office as a matter or [of?] record, and for future reference. Duty of inspectors.

For any injury to persons or property, occasioned by any violation of this act, or any willful failure to comply with its provisions by any owner, agent or manager of any mine, a right of action shall accrue to the party injured, for any direct damage he may have sustained thereby; and, in any case of loss of life, by reason of such willful neglect or failure, aforesaid, a right of action shall accrue to the widow and lineal heirs of the person whose life shall be lost, for like recovery of damages for the injury they shall have sustained. Penalty.

The owner, agent, or manager of any mine shall also give notice to the chief inspector of mines in any or all of the following cases: Other notices to be given chief inspector of mines.

1. Where any change occurs in the name of any mine, or in the name of any owner, agent, or manager of any mine, or in the officers of any incorporated company which owns or operates a mine.

2. Where any working is commenced for the purpose of opening a new shaft, slope or mine, to which this act applies.

3. Where any mine is abandoned or the working thereof discontinued.

4. Where the working of any mine is re-commenced after any abandonment or discontinuance for a period exceeding three months.

5. Where the pillars of a mine are about to be removed or robbed.

6. Where a squeeze or crush, or any other cause or change may seem to affect the safety of persons employed in any mine, or where fire occurs, or a dangerous body of gas is found in any mine.

SEC. 6871. Whoever knowingly violates any of the provisions of sections two hundred and ninety-seven, two-hundred and ninety-eight, two hundred and ninety-nine, three hundred, three hundred and one, three hundred and two, and three hundred and five, or does any act whereby the lives or health of the persons, or the security of any mine and machinery are endangered; or any miner or other person employed in any mine governed by the statute, who intentionally and willfully neglects or refuses to securely prop the roof of any working place under his control; or neglects or refuses to obey any order given by the superintendent of a mine in relation to the security of the mine in the part thereof where he is at work, and for fifteen feet back from the face of his working place; or any miner, workman, or other person who shall knowingly injure any water gauge, barometer, air course Penalty for violations of statutes providing for safety of mines and miners.

or brattice, or shall obstruct or throw open any air ways, or shall handle or disturb any part of the machinery of the hoisting engine, or open a door of the mine and not have the same closed again, whereby danger is produced either to the mine or those that work therein; or who shall enter any part of the mine against caution; or who shall disobey any order given in pursuance of this act; or who shall do any willful act, whereby the lives and health of persons working in the mine, or the security of the mine, or the machinery thereof, is endangered; or any person having charge of a mine, whenever loss of life occurs by accident connected with the working of such mine, or by explosion, who neglects or refuses to give notice thereof forthwith, by mail or otherwise, to the chief inspector of mines, and to the coroner of the county in which such mine is situate; or any such coroner who neglects or refuses to hold an inquest upon the body of the person whose death has been thus caused, and return a copy of his finding and all the testimony to the inspector, shall be fined not less than fifty dollars, or imprisoned in the county jail not more than thirty days, or both.

SECTION 2. Sections 297, 301, and 6871, as amended May 17, 1886, be and are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 15].

AN ACT

Prescribing the mode of applying for pardons, commutations of sentence, and reprieves, and amendatory to sections 86, 87, 91, and 92 of the Revised Statutes of Ohio.

Ohio state board of pardons: appointment of members.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That within fifteen days after the passage of this act, the governor shall nominate, and by and with the consent and advice of the senate appoint, from different parts of the state, four suitable persons having the qualifications of electors, two of which shall be appointed from each of the two leading political parties, who, when organized, shall be known as the "Ohio State Board of Pardons." Two of the members thereof, appointed from the same political party, shall serve for one and three years, respectively, and two of

the members thereof, appointed from the other political party, shall serve for two and four years, respectively, and all shall serve until their successors shall be appointed and qualified. Annually thereafter, the governor shall, in like manner, appoint a member of said board, of like qualification, and from the same political party as the member whom he succeeds, who shall serve for four years, and until his successor is appointed and qualified. And the governor shall, in like manner, fill all vacancies in said board by appointing, for the unexpired terms, members thereof from the same political party as those whom they succeed. All the members of said board shall serve without compensation, other than a sum sufficient to cover any expenses necessarily incurred by them in the discharge of their duties. The secretary of state, attorney general and adjutant general shall constitute an auditing board, by whom the actual expenses of each member of said state board of pardons shall be ascertained, and upon whose order such expenses shall be paid out of the public treasury, at the end of the sessions of said board, as provided in section four of this act; but the total amount to be paid shall not exceed, in any one year, the sum of five hundred dollars ($500). The said four persons first appointed under the provisions of this act, having first taken the oath of office prescribed by the constitution of the state for state officers, and being duly commissioned, shall, within twenty days after their appointment, meet, and organize by electing one of their number president. It is hereby made the duty of the executive clerk of the governor to act as secretary of said board, and as compensation for his services he shall receive, in addition to the amount now paid to him as such executive clerk of the governor, the sum of three hundred dollars, and no more.

Expenses.

Oath and commissions.

President and secretary.

The latter's compensation.

SECTION 2. Every applicant for the granting of a pardon, commutation of sentence, or reprieve, of a person duly convicted of crime, shall be made directly to said board, which shall carefully consider the same, and shall thereupon recommend in writing to the governor the advisability of granting or rejecting said application. They shall also transmit to the governor, with their recommendation, a full and concise statement of the facts in each case, together with all papers and documents pertaining thereto.

Application for pardons; recommendations by board to governor.

SECTION 3. Before any recommendation shall be made by said board, as provided in the foregoing section, it shall receive the sanction of at least three members of said board.

Necessary approval of recommendations.

SECTION 4. Said board shall meet regularly on the first Thursday after the second Monday of January, and on the same day of every third month thereafter, and at such other times as they may deem necessary, at the office of the board of state charities, and having heard oral or other argument, either in behalf of or against the same, shall, with closed doors, consider and pass upon each application for a pardon, commutation of sentence, or reprieve, as the case may be;

Meetings.

Consideration of applications.

Power of governor to convene board.

provided, that the governor shall have power to convene said board in session whenever in his judgment the public interests require it; and said board is hereby empowered to make such rules and regulations for the government of its own conduct as may be necessary and proper.

Regulations.

Removals.

SECTION 5. For inefficiency, neglect, or corruption, the governor, by and with the advice and consent of the senate, shall have power to remove any member of said board.

Filling of vacancies.

SECTION 6. Should a vacancy occur in said board, by reason of the death, resignation, removal, or expiration of the term of service, of any member of said board, the governor is hereby empowered to fill such vacancy, by and with the advice and consent of the senate.

Annual report.

SECTION 7. It shall be the duty of said state board of pardons, on the first day of December in each year, to report in writing to the governor, who shall transmit the same to the general assembly, its actions during the year last past, its officers and members, and the names thereof, and what legislation, if any, there should be in order to carry out more fully the object and purpose of its creation; and the annual report of said board shall also contain a detailed statement of the money paid out by or on account of said board, and a detailed statement of the manner of its expenditure, during the year last past; but the amount so paid out shall not aggregate a sum exceeding eight hundred dollars in any one year; and this report shall be published in form and manner as other state reports.

Rejection of board's recommendations.

SECTION 8. The governor shall have full power, notwithstanding the action of said board, to grant or reject any application for the granting of a pardon, commutation of sentence, or reprieve, if, in his judgment, the public interests would thereby be promoted.

SECTION 9. That sections eighty-six (86), eighty-seven (87), eighty-eight (88), ninety-one (91), and ninety-two (92) of the Revised Statutes be amended so as to read as follows:

Notice of application for pardon or commutation.

SEC. 86. Notice of the application for such pardon or commutation shall be given by or on behalf of the applicant to the prosecuting attorney of the county in which the indictment was found against such person so convicted and sentenced, at least three weeks before such application can be considered by the board of pardons or the governor, a copy of which notice, acknowledged by such prosecuting attorney, or certified under oath of a creditable witness to be a true copy thereof, shall accompany every such application to the board of pardons, to be transmitted by them with their recommendation to the governor; and a notice of such application, setting forth the name of the person on whose behalf it is made, the crime of which he was convicted, the time of such conviction, and the term of sentence, shall also be published in a newspaper printed in such county, and of general circulation therein, or, if there be no newspaper published therein, then such notice shall be posted on the door of the courthouse of such county, at least three weeks before the board of

pardons or the governor of the state consider the application; and a copy of the notice, duly authenticated by a creditable witness, under oath, shall also accompany the application; but in any case in which the application is for the pardon or commutation of the sentence of any person sentenced to capital punishment, and the time of the making of the application to the time fixed for the execution of such sentence is not sufficient to allow the giving of such notice, the full time, or the giving of the notice at all, may be dispensed with by the governor. (66 v., 287, §218).

Duty of prosecuting attorney.

SEC. 87. The prosecuting attorney of the county in which the indictment was found against the person, on whose behalf such application for pardon or commutation is made, shall, forthwith, make out, and forward to the board of pardons, to be by them transmitted with their recommendation to the governor after the service of the notice upon him as herein provided, a statement setting forth the time of such trial and conviction, and the date and term of such sentence, and also the crime of which such person was convicted; and he shall also briefly state any circumstances in aggravation or extenuation, if any such appeared in the testimony upon the trial of the person on whose behalf such application is made. (66 v., 287, § 219).

Proceedings when convict becomes insane.

SEC. 91. If a convict, at any time before the full execution of the sentence, be represented to the board of pardons to be insane, they shall inquire into the facts, and if, in their opinion the facts are such as to require the exercise of executive clemency, they shall so report to the governor, who may, without notice, pardon the convict, or commute the sentence, or suspend its execution for a definite time, or from time to time, as he may deem proper; and the governor, in case of commutation or suspension, may, by his warrant to the proper officer, order the convict to be confined in the penitentiary or jail, or conveyed to an asylum for insane for treatment. If the sentence be suspended, and the convict recover his reason, the sentence, so far as not before executed, shall, at the termination of the suspension, be fully executed (53 v., 81, § 58).

Reprieves.

SEC. 92. The governor may grant a reprieve for a definite time to any person under sentence of death, without notice or application; but said board of pardons, having considered any application for such reprieve, may recommend to the governor that the same be granted or rejected.

SECTION 10. That said original sections 86, 87, 91, and 92 be and the same are hereby repealed.

SECTION 11. This act shall take effect and. be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 98].

AN ACT

To expedite the collection and publication of school statistics.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 361, 1453, 1455, 4030, 4033, 4035, 4036, 4039, 4042, 4044, 4049, 4052, 4056, 4057, 4060, 4070, 4076, 4083, 4088, and 4094 of the Revised Statutes of Ohio are hereby amended to read as follows:

Annual report of commissioner of schools.

SEC. 361. He shall make an annual report, on or before the fifteenth day of November, to the general assembly, when that body is in session, and when not in session the report shall be made to the governor, who shall cause the same to be published, and shall also communicate a copy thereof to the general assembly at the beginning of the next session.

Notice to township officers elected or appointed to appear and qualify.

SEC. 1453. The township clerk shall forthwith, after the election or appointment of township officers, make out a list of all the officers elected or appointed, stating the offices to which they are respectively chosen or appointed, and add thereto a requisition that they severally appear before him or some other officer authorized to administer oaths, and take the oath of office and give bond (if required by law to give bond) within ten days after such election; but the clerk and treasurer, whose term of office shall begin on the first day of September, may take the oath and give bond at any time before that date; and the said clerk shall forthwith make service of such list nad requisition by delivering to each person so elected or appointed a copy thereof, or such list may be delivered to any constable of said township, who shall make service of the same as required aforesaid, and said list and requisition, with the time and manner of service thereon, shall be returned and filed in the office of said clerk.

Serving of such notice.

What shall be deemed a declination of a township office.

SEC. 1455. If a person elected or appointed to a township office, after receiving notice of his election or appointment, fail to take the oath of office, and, if bond is required of such officer, give bond within the time stated in section 1453, he shall be deemed to have declined to accept, and the vacancy shall be filled as in other cases.

Yearly enumeration of school youth.

SEC. 4030. There shall be taken in each district, annually, during the two weeks ending on the fourth Saturday in July, an enumeration of all unmarried youth, noting sex, between six and twenty-one years of age, resident within the district, and not temporarily there, designating also the number between sixteen and twenty-one years of age, the number residing in the Western Reserve, the Virginia military district, the United States military district, and in any original surveyed township or fractional township to which belongs section sixteen, or other land in lieu thereof, or any other lands for the use of public schools, or any interest in the proceeds of such lands.

How same shall be taken in township and sub-districts.

SEC. 4033. The director, who is clerk in each sub-district, shall take, or cause to be taken, annually, according to the provisions of this chapter, an enumeration of youth resident within his sub-district, and return a certified copy thereof to the clerk of the township board of education; if any such director fail to perform such duty, and make said return on or before the fourth Saturday in July, the clerk of the township board shall employ a competent person to take and return the enumeration, give him an order on the treasurer of the board for his compensation, payable from the contingent fund, and proceed to recover the amount so paid, in a civil action, before any court having jurisdiction of the matter, in the name of the state, against such director; and the money so collected shall be paid to the treasurer of the board, and credited to the contingent fund; but in a township district which is not divided into sub-districts, the president of the board shall take and return the enumeration, or cause the same to done.

Clerk to transmit abstract of enumeration to county auditor.

SEC. 4035. The clerk of each board shall, annually, on or before the first Saturday in August, make and transmit to the county auditor, an abstract of the enumeration by this chapter required to be returned to him, according to the form prescribed by the commissioner of common schools, with an oath or affirmation indorsed thereon that it is a correct abstract of the returns made to him under oath or affirmation; and the oath or affirmation of the clerk may be administered and certified by any member of the board of education, or by the county auditor.

When the clerk fails, auditor to act.

SEC. 4036. If the clerk of any district fail to transmit such abstract of enumeration on or before the first Saturday in August, the auditor shall at once demand the same from such clerk; and in case the enumeration has not been taken as required by this chapter, or the abstract required be not furnished without delay, the auditor shall employ competent persons to take such enumeration, who shall be subject to the legal requirements already specified, except that the return shall be made directly to the auditor, who may administer to each person employed the oath or affirmation required; and the auditor shall allow the persons employed by him a reasonable compensation, to be paid out of the general county fund, and shall proceed to recover the amounts so paid in civil action before any court having competent jurisdiction, in the name of the state, against such clerk on his bond, and the amount so collected shall be paid into the general county fund.

Auditor to furnish abstract to state commissioner.

SEC. 4039. The auditor of each county shall make, and transmit to the state commissioner of common schools, on or before the third Saturday in August, in each year, on blanks to be furnished by the commissioner, an abstract of the enumeration returns made to him, duly certified.

Treasurer of school funds.

SEC. 4042. In each city district the treasurer of the city funds shall be ex-officio treasurer of the school funds; but if the county treasurer is treasurer of the city funds, the

board of education may appoint one of its members treasurer, who shall not receive any compensation for his services; in each township district the treasurer of the township funds shall be ex-officio treasurer of the school funds; and in each village and special district the board of education shall choose its own treasurer, whose term of office shall be for one year, beginning on the first day of September.

Annual settlement by treasurer with county auditor.

SEC. 4044. The treasurer shall, annually, within the first three days of September, settle with the county auditor for the preceding school year, and for that purpose shall present a certified statement showing the amount of money received, from whom, and on what account, and the amount paid out, and for what purposes; he shall produce vouchers for all payments made; and if the auditor, on examination, find the statement and vouchers to be correct, he shall give the treasurer a certificate of that fact, which shall, prima facie, be a discharge of the treasurer for the money paid; and for making such settlement he shall be entitled to receive the sum of one dollar, and also five cents per mile for traveling to and from the county seat, to be paid out of the county treasury, on the order of the county auditor. When the treasurer's term begins on the first day of September the annual settlement shall be made by the outgoing treasurer.

Treasurer to deliver money, etc., to successor.

SEC. 4049. At the expiration of his term of service each treasurer shall deliver to his successor in office all books, papers, money, and other property in his hands belonging to the district, and take duplicate receipts of his successor therefor, one of which he shall deposit with the clerk of the board of education within three days thereafter.

Annual statistical report of board of education; by whom prepared.

SEC. 4052. The clerk of each board shall prepare the annual report of the receipts and expenditures of school money, and the statistical statement in reference to the schools, required of the board by section forty hundred and fifty-seven, and transmit the same to the county auditor on or before the first day of September; provided, that in each school district having a superintendent of schools, except city districts of the first class, the annual report, except the receipts and expenditures of money, shall be made by the superintendent.

Compensation of treasurer and clerk.

SEC. 4056. The board of education may fix the compensation of clerk and treasurer; the allowance made to the treasurer shall not exceed one per centum of the money disbursed by him on orders of the board; but the treasurers of township districts shall be allowed as compensation one per centum on all school funds disbursed by them; and both clerks and treasurers shall be paid out of the contingent fund, on the order of the board of education, but treasurers of city districts shall not be allowed compensation for disbursing the school funds; but before such order for pay of treasurer shall be made he shall present to the board the auditor's certificate of discharge provided for in section four thousand and forty-four, Revised Statutes, and before such order for pay of clerk shall be made he shall present to the board a statement,

officially signed and certified by the auditor, that he has returned all the reports of statistics for that year required by this title.

Annual report of board of education; its contents.

SEC. 4057. The board of education of each district shall make a report to the county auditor, on or before the first day of September in each year, containing a statement of the receipts and expenditures of the board, the number of schools sustained, the length of time such schools were sustained, the enrollment of pupils, the average monthly enrollment, and average daily attendance, the number of teachers employed, and their salaries, the number of school-houses and school rooms, and such other items as the commissioner of common schools may require.

Duty of county auditor as to school statistics, etc.

SEC. 4060. The auditor of each county shall, on or before the twentieth day of September, annually, prepare, and transmit to the commissioner of common schools, an abstract of all the returns of school statistics made to him from the several districts in his county, according to the form prescribed by the commissioner, and a statement of the condition of the institute fund, and such other facts relating to schools and school funds as the commissioner may require; he shall also cause to be distributed all such circulars, blanks, and other papers, including school laws and documents, in the several school districts in the county, as the commissioner may lawfully require; and if the auditor neglect to prepare and return any of the abstracts or reports herein required, the county commissioners shall withhold from him all compensation for his services under this title.

President and clerk of board of county school examiners; duties of clerk.

SEC. 4070. The board shall organize by choosing from its members a president and clerk; the clerk shall keep a record of the proceedings, showing the number and date of each certificate issued, and to whom, for what term, and for what branches of study, and such other statistics relating to the examination and proceedings as the commissioner of common schools may require, and shall report such statistics to the commissioner annually on or before the first day of September; and such boards may make all needful rules and regulations for the proper discharge of their duties.

Annual report of clerk, and his bond.

SEC. 4076. The clerk of the board shall prepare, and forward to the commissioner of common schools, on or before the first day of September of each year, a statement of the number of examinations held by the board, the number of applicants examined, the total number of certificates granted, and the number for each term mentioned in section forty hundred and seventy-three, the amount of fees received and paid to the county treasurer, the amount received from the county treasury by the members of the board for their services, and such other statistics and information in relation to the duties of the board as the commissioner may require; and he shall deposit with the county auditor a bond, with surety to be approved by the auditor, in the sum of three hundred dollars, that he will pay into the county treasury,

quarterly, the examination fees received by the board, and make the statistical returns required by this chapter.

City and village examiners: duties of clerk; disposition of fees.

SEC. 4083. The clerk shall keep a record of the proceedings of the board, and of such statistics as the commissioner of common schools may require, and shall report such statistics to the commissioner annually, on or before the first day of September; he shall pay the examination fees received by him to the treasurer of the district within ten days after each meeting, and at the same time file with the clerk of the board of education a written statement of the amount, and also a statement of the number of applicants, male and female, examined, and the number of certificates granted, and for what terms; and the fees paid to the treasurer of the district shall be applied to the support of teachers' institutes, as provided in chapter thirteen.

Teachers' institutes: report of committee.

SEC. 4088. The institute committee shall, within five days after the adjournment of the institute, report to the commissioner of common schools, the number of teachers in attendance at the institute, the names of instructors and lecturers, the amount of money received and disbursed by the committee, and such other information relating to the institute as the commissioner may require; and on failure to make such report the committee shall forfeit and pay to the state the sum of fifty dollars.

Length of session; report of certain institutes.

SEC. 4094. All institutes held under the provisions of this chapter, except the institute provided for by section forty hundred and ninety-three, shall continue at least four days; and a report of each institute held in pursuance of the provisions of sections forty hundred and ninety-two and forty hundred and ninety-three, shall be made to the commissioner of common schools within five days after the adjournment thereof, which shall state the number of teachers in attendance, the names of instructors and lecturers, the total expenses of the institute, and the portion thereof paid from institute funds, and such other information relating to the institute as the commissioner may require.

Repeal.

SECTION 2. Said original sections amended by this act are hereby repealed; also section 4046 of the Revised Statutes.

Terms of township clerks and treasurers elected in April, 1888.

SECTION 3. This act shall take effect on its passage; provided, that the terms of township clerks and treasurers elected in April, 1888, shall continue until the end of the terms for which they were elected, and until the following first day of September, as provided in this act.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 31].

AN ACT

To create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities, and for other purposes.

Cleveland city and school funds to be deposited in a bank designated as the depositary for such funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the money belonging to each city of the second grade of the first class, and also the money belonging to the school district composed wholly or in part of the territory of such city, shall be deposited, by the treasurers of the city and school district respectively, as hereinafter provided, in a bank situated within the boundaries of the city and school district to which the money belongs, and duly incorporated under the laws of this state or of the United States, to be designated, in the manner hereinafter provided, as the depositary for such money, by a commission composed of the mayor and the city solicitor of the city, and the president of the board of education of the school district, and their successors in office, and to be known as the depositary commission.

Members of the depositary commission.

Expenses.

SECTION 2. The officers designated in the preceding section as constituting such depositary commission shall serve as members thereof, and without compensation; but the commission shall be provided with necessary books and stationery, at the joint expense of the city and school district; and the mayor shall be president, and the president of the board of education shall be secretary of the commission. The commission shall hold meetings on the first business day of each month, and whenever called to meet by the president for a special purpose, at the office of the mayor of the city, and shall keep a record of its proceedings, and file all official papers received by it, which record and papers shall be open to public inspection at any session of the commission; and a transcript of any entry in such record, or a copy of any such paper, duly certified as such by the president and secretary, shall be received as evidence in any of the courts in this state.

President and secretary.

Meetings.

Records and papers.

Certified copies.

Advertising for proposals from banks.

SECTION 3. That upon the taking effect of this act, and thereafter triennially, such commission shall publish, in two daily newspapers printed and of general circulation in the city and district, on the second day of the week, for two consecutive weeks, a notice which shall invite sealed proposals from all banks coming within the provisions of section one, which proposals shall stipulate the rate of interest they will pay respectively for the use of the money aforesaid; and each proposal shall contain the names of the sureties who will be offered upon the undertakings of the bank filing the same in case its proposal be accepted. Such publication, and all other publications for such proposals, shall be at the joint expense of the city and school district.

What proposals shall contain.

Expense of advertising.

Opening of proposals; award of the use of the public moneys.

SECTION 4. On the Monday following the last publication of such notice, at the hour of twelve o'clock, noon, the commission shall, in open session, open such sealed proposals, and shall award the use of such money to the bank offering the highest rate of interest therefor; but if two or more banks offer the same highest rate of interest therefor, the use of the money may be awarded to either of them, or the commission may reject all proposals, and advertise for others in the manner aforesaid.

Rejection of proposals; re-advertising.

Undertaking to be executed by the person receiving such award.

SECTION 5. No such award shall be binding until there is executed by the bank, and accepted by the commission, a good and sufficient undertaking, payable to the city, and a like undertaking payable to the school district. The former in a sum not less than seven hundred thousand dollars, to be recovered in the name of the depositary commission, for the use of the city, and the latter in a sum not less than four hundred thousand dollars, to be recovered in like manner, for the use of the school district. Such undertakings shall each be signed by six resident free-holders of the city and school district as sureties, to the satisfaction of the commission, and conditioned for the receipt, safe-keeping, and payment over, as provided herein, of all money which may come into the custody of the bank under and by virtue of this act, and under and by virtue of its proposal and the award of the commission, together with the interest thereon at the rate specified in the proposal; and they shall be further conditioned for the faithful performance by the bank of all the duties imposed by this act upon the depositary of such money.

Sureties required.

Conditions of the undertaking.

Undertaking to be submitted to and approved by counsel.

SECTION 6. The undertakings provided for above shall not be accepted by the commission until they have been submitted to the counsel, designated by statute, of the city and the board of education of the school district respectively, and certified by him to be in due and legal form, and conformable to the provisions of this act, which certificate shall be indorsed on each of them; and if the bank to which an award is made as aforesaid, fail to execute the undertakings required hereby, to the acceptance of the commission, within three days after the award is made, the commission may award the use of the money to any other bank the written proposal of which offers the same rate of interest therefor as is designated in the proposal of such defaulting bank; but if the proposal of no other bank offers the same rate of interest as aforesaid, the commission may award the use of the money to any bank the written proposal of which offers the next highest rate of interest therefor; or the commission may, in case of default as aforesaid, reject any or all bids, and advertise for others in the manner aforesaid; and in case of an award after such default, the bank to which the award is made shall execute undertakings as aforesaid, to the acceptance of the commission.

New award in case of failure to execute such undertakings.

Rejection of bids in case of such default; re-advertising; award and undertaking thereafter.

When a bank becomes a depositary as aforesaid.

SECTION 7. The bank to which an award is made shall, upon the acceptance of such undertakings by the commission, become the depositary of the money aforesaid until the undertakings of its successor are accepted by the commission; but the commission may require additional security from the bank, at any time it deems the same necessary, in such sum as it shall designate; and if the bank refuse or neglect, for the period of five days thereafter, to give such additional security, or if at any time the commission deem the bank unsafe, the removal of the money therefrom forthwith may be ordered by the commission, and another bank designated to be the depositary thereof temporarily, at such rate of interest, or without interest, as the commission may determine. The order for such removal, or for any removal under the provisions of this act, shall be entered in the record of proceedings of the commission; and a copy thereof, duly certified as such by the president and secretary of the commission, shall be transmitted to the city auditor, and a like copy to the president of the board of education of the school district, and thereupon the city auditor shall issue his warrant for the withdrawal of the money of the city from the depositary, and the president and clerk of the board of education shall issue an order for such withdrawal of the money of the school district, and thereupon the city treasurer, as such, and as ex-officio treasurer of the school funds, shall issue checks accordingly for the removal. If the money, in case of such removal, be deposited in a bank designated as a depositary temporarily, such bank shall, before the receipt by it of any of the money, enter into undertakings as required by preceding sections; but if no bank be so designated, the money shall be disposed of as provided in section nine.

Additional undertakings; failure to give.

Removal of public moneys to temporary depositary; how effected.

Undertakings required of a temporary depositary.

Acceptance of certain interest bearing bonds entirely or partly in lieu of the undertakings aforesaid.

SECTION 8. The commission may, in lieu of either or both of the undertakings provided for by preceding sections, accept as security, for money deposited as aforesaid, interest-bearing bonds of the city or school district, or of the county within which the depositary is located, the face value of which shall not be less than the sum specified in section five as the amount to be named in the undertaking or undertakings in lieu of which such bonds are accepted; or the commission may accept such bonds in lieu of either of such undertakings in full, and of the other in part; and in case of such acceptance as partial security, the commission shall require an undertaking for the remainder of the full amount of the security specified in said section, to be named in the undertaking, and in the undertaking so required, such acceptance of bonds as partial security, and the extent thereof, shall be set forth. The hypothecation of such bonds shall be by indorsement of the fact and purpose on the back of each, which indorsement shall stipulate that the bond shall be the property of the city or of the school district, as the case requires, in the event of any default on the part of the bank in its capacity as depositary as aforesaid, and that its negotiation or release by the commission shall require the signature

Indorsement on said bonds.

Their safe-keeping; interest thereon to be paid to whom.

of each member thereof. The commission shall make ample provision for the safe-keeping of such hypothecated bonds; and the interest thereon, when paid, shall be turned over to the bank so long as it is not in default as aforesaid.

Treasurer to act as custodian of such funds in case a depositary cannot be secured.

SECTION 9. If at any time, for any cause, the commission be unable to secure a depositary as provided by preceding sections, the money shall remain in the custody of the treasurer aforesaid, if in his custody at the time, and if in a depositary, and its removal be ordered, it shall be transferred to such treasurer, in the manner provided in section seven for removals, and in either case such treasurer shall be custodian as aforesaid until such time as a depositary is secured in accordance with the provisions of this act; and while he remains such custodian the money shall be paid out by him on warrants of the city auditor, and orders of the president and clerk of the board of education, respectively, which in such case shall not be in duplicate; but he shall keep such books, and make such statements of receipts and payments, both as city treasurer and as treasurer ex-officio as aforesaid, as are required by this act when the money is in the custody of a depositary, except that such books and statements shall show that the money is in his custody instead of being in the custody of a depositary.

His disbursements, books and statements.

Duty of city boards, employes, etc., to deposit public funds with treasurer.

SECTION 10. It shall be the duty of every board, officer, agent, and employe of each city of the grade and class aforesaid, having money in their hands belonging to the city, to deposit such money with the city treasurer upon the taking effect of this act; and thereafter such boards, (except the board of cemetery trustees,) officers, agents, and employes as receive money on account of the city shall deposit with such treasurer daily all money so received by them; but the board of cemetery trustees shall make such deposits weekly.

Notice to treasurer of the selection of a depositary.

Deposits by treasurer in such depositary.

City and school funds to be kept separate.

Interest on such funds, how computed and credited.

SECTION 11. The treasurer aforesaid shall, upon the receipt of a written notice, signed by the president and secretary of the commission, stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected, deposit in such depositary all the money in his custody belonging to the city and to the school district respectively, and thereafter he shall, at the close of each business day, deposit therein his total receipts for the day; but money belonging to the city shall be deposited to the credit of the city, and money belonging to the school district shall be deposited to the credit of the district. All money so deposited shall bear interest at a rate specified in the proposal of the bank selected as depositary, to be computed on daily balances, and on the thirtieth day of June and the thirty-first day of December each year, and at any time the accounts are closed, the depositary shall place such interest on the money of the city to the credit of the city, and that on the money of the school district to the credit of the district, and, in

writing, notify the city auditor of the amount so credited to the city, which he shall credit to the interest fund of the city, and in like manner the depositary shall notify the president of the board of education of the school district of the amount so credited to the district, which shall be credited to its several funds in proportion to the total amount of each deposited.

Notices of such credits to whom to be given.

SECTION 12. The depositary shall, in writing, notify the city auditor, before noon of each business day, of the amount of deposits to the credit of the city made by the city treasurer the preceding business day, and shall also notify the president of the board of education, in like manner, and at the same time, of the amount of deposits to the credit of the school district made by the treasurer of the school funds the preceding business day; and the depositary shall pay out money deposited under the provisions of this act only on the checks of the city treasurer, as such, or as treasurer ex-officio of the school funds, and no such check shall be valid or payable, unless it have partly printed and partly written, on the same paper therewith, a duplicate of the warrant of the city auditor, or of the order of the president and clerk of the board of education, as the case may be, authorizing the payment of the sum specified in the check. All such warrants and orders shall be drawn and signed in duplicate, one of which shall have printed upon its face the word "original," and shall be filed and kept in the office of the treasurer to whom it is issued, and the other shall have printed upon its face the word "duplicate," and shall be and remain unsevered from the check of such treasurer.

Daily notices by depositary of treasurer's deposits.

How disbursements by the depositary shall be made; checks.

Warrants and orders.

SECTION 13. Before noon of each business day the city treasurer shall make to the city auditor a sworn statement, showing for the preceding business day, the total amount of money received by him, the total amount deposited in the depositary, the total amount of checks issued on the depositary, and the balance in the depositary, and he shall keep such books as shall enable him to make such statements; and as treasurer ex-officio of the school funds, he shall keep like books on behalf of the school district, and make a like statement before noon of each business day, to the president of the board of education. All money paid to the city treasurer, shall be paid upon the order or draft of the city auditor, and all money paid to the treasurer of the school funds shall be paid upon the order or draft of the president and clerk of the board of education, and receipts given therefor shall be in duplicate, one of which shall have printed upon its face the word "original," and the other the word "duplicate." The duplicates of receipts for money belonging to the city shall be filed with the city auditor, and the duplicates of receipts for money belonging to the school district shall be filed with the president of the board of education, and each duplicate shall be so filed on the day of its date;

Daily statements required of treasurer.

Books required to be kept.

Moneys, how paid to treasurer.

Duplicate receipts.

and each receipt and duplicate shall state the amount received, from whom received, and to what fund or funds the same is to be applied.

Payment of certain pay-rolls in cash.

SECTION 14. The monthly pay-rolls of the police, fire, and street departments of the city, and the monthly pay-rolls of the board of education of the school district, shall be paid in cash; and to provide money for such payments, the city auditor, on behalf of the city, and the president and clerk of said board, on behalf of the school district, shall issue their respective warrants, authorizing the issuance of checks upon the depositary for amounts, to be stated in the warrants respectively, sufficient to meet such demands; but all other warrants and checks shall be drawn in favor of the persons to whom the amounts specified therein respectively are due, or in favor of their assigns.

Certain books to be kept by city auditor and an officer of board of education as checks upon the treasurer.

SECTION 15. The city auditor shall keep in his office books in which shall be entered the receipts of the city treasurer's office daily, to the credit of the city, as shown by the duplicate receipts returned to him by the treasurer, the amount of deposits by the treasurer daily with the depositary, to the credit of the city, as shown by the statements of the depositary, the daily aggregate amount of warrants issued by him, and the balance at the close of each business day to the credit of the city in the hands of the depositary; and the proper officer of the board of education shall keep books in his office with like entries on behalf of the school district.

Treasurer's statements to be certified when correct.

And upon receipt by them respectively of the sworn statements provided for by section thirteen they shall certify thereon to the correctness of the same, if, upon comparison with their respective books, they be found to be correct, and shall file such statements in their offices respectively.

Discrepancies, how disposed of.

If any such sworn statement to either be found incorrect he shall forthwith give notice of such fact to the treasurer, and unless the discrepancy be discovered and corrected immediately he shall forthwith notify the depositary commission thereof.

Auditor and officer of board of education to keep an account of each fund; issue of warrants.

SECTION 16. The city auditor, and the proper officer of the board of education, shall each keep in his office books which shall show the balance daily to the credit of each fund of which he keeps an account, and shall issue no warrant payable from any such fund unless there is money belonging thereto for the payment of the warrant in full; and on the first business day of each month they shall each prepare, and submit to the depositary commission, a sworn statement for the preceding month showing the total amount of money received into and paid out of each fund of which they keep accounts respectively, the balance to the credit of each, and also the total balance of money to the credit of the city and the school district respectively in the custody of the depositary, which statements shall be placed on file by the commission, and a copy of the statement made by the city auditor, duly certified as such by the commission, shall be transmitted to the board of councilmen of the city, and a like copy of the statement made by the officer of the board of edu-

Their monthly statements to the depositary commission.

To whom copies of such statements shall be transmitted.

cation aforesaid shall be transmitted to the board of education of the school district, and each shall be read in open session at the next meeting of the board to which it is transmitted.

When the auditor shall issue his warrants.

SECTION 17. Upon the passage by the common council of any city of the grade and class aforesaid, of an ordinance, duly approved, providing for the payment of obligations of the city, the city auditor shall issue his warrants, subject to the provisions of sections fourteen and sixteen, for the payment of such obligations respectively; and he shall also, subject to the provisions of said sections, issue his warrant for the payment of any claim that shall be duly certified to him, in writing, as correct, and legally due the claimant, by any board of the city, authorized by law to incur obligations to be paid without the sanction of the common council, and such certified claims shall be duly filed and preserved by the auditor in his office, and shall be his vouchers for the issuance of his warrants for their payment.

Liability of the treasurer as affected by this act.

SECTION 18. Nothing in this act shall be held or considered as in any manner changing or affecting the liability of the treasurer of the city or of the school funds; provided, such treasurers shall not be held liable for the loss of any money deposited as aforesaid while it is in the custody of the depositary.

Statutory provisions conflicting herewith are superseded hereby.

SECTION 19. Any provision of the statutes of this state in force when this act takes effect, which conflicts with any provision of this act, shall be held to be superseded by the latter, as to the matter of inconsistency, and not otherwise, as to cities and school districts aforesaid.

Penalty for violations of this act.

SECTION 20. An officer, agent, or employe of any such city, or of the board of education of any such school district, who willfully violates any provision of this act, or willfully neglects or refuses to perform any duty imposed upon him by this act, shall, upon conviction thereof, be fined in any sum not exceeding ten thousand dollars, for the use of the city, if he be an officer, agent. or employe of the city, and for the use of the school district, if he be an officer, agent, or employe of the board of education thereof, or be imprisoned in the penitentiary not more than ten years nor less than one year, or both, at the discretion of the court.

Taking effect.

SECTION 21. This act shall take effect on the first day o October, one thousand eight hundred and eighty-eight.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 306.]

AN ACT

Supplementary to section 5189*b*, passed March 16, 1887 (84 v., 93).

Franklin county:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 5189*b*, passed March 16, 1887 (84 v. 93), with sectional numbering as follows:

Compensation of commissioners of juries.

SEC. 5189*d*. That the commissioners of juries, in a county containing a city of the first grade of the second class, shall each receive three dollars for each and every day they are engaged in selecting jurors under the provisions of said section 5189*b*, out of the county treasury, upon the order of the county auditor, on the certificate of the judges of the court of common pleas resident of such county as to the number of days actually and necessarily thus employed.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem of the Senate.

Passed April 12, 1888.

[Senate Bill No. 258].

AN ACT

To amend section 6890 of the Revised Statutes of Ohio, as amended April 14, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6890 of the Revised Statutes of Ohio, as amended April 14, 1884, be amended so as to read as follows:

Public boxing exhibitions declared unlawful.

SEC. 6890. Any two person who agree, and willfully fight or box at fisticuffs or engage in any public sparring or boxing exhibition without gloves or with gloves of any kind, and whoever aids, assists or attends any such boxing exhibition or glove fight, and any owner or lessee of any grounds, lots, building, hall or structure of any kind, permitting the same to be used for such exhibition or purpose, shall be deemed guilty of an affray, and shall be fined in any sum not exceeding two hundred and fifty dollars, or imprisoned not more than three

months, or both; provided, that nothing in the foregoing shall apply to any public gymnasium or athletic club, or any of the exercises therein, if written permission for the specific purpose shall first have been obtained from the sheriff of the county; or, if the exercises or exhibition are had within the limits of a municipal corporation, of the mayor of such corporation. Athletic clubs.

SECTION 2. That said original section 6890, as amended April 14, 1884, be and the same is repealed; and this act shall take effect and in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[Senate Bill No. 288.]

AN ACT

Supplementary to section 6946 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 6946 of the Revised Statutes, with section numbering as herein provided:

SEC. 6946*a*. Whoever sells or give away intoxicating liquors, at or within one mile of the administration or main building of the Soldiers' and Sailors' Home, located near the city of Sandusky, Ohio, shall be fined not more than one hundred nor less than twenty-five dollars, or imprisoned thirty days, or both; and on conviction of the owner or keeper thereof, the place wherein such intoxicating liquors are sold, may, by order of the court, be shut up and abated as a nuisance; provided, the provisions and penalties of this section shall not apply to any place where intoxicating liquors are or may hereafter be sold within the present limits of the incorporated city of Sandusky, Erie county, Ohio. Prohibiting sale of intoxicating liquors near soldiers' and sailors' home.

SECTION 2. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[Senate Bill No. 306].

AN ACT

To supplement section 1209 of the Revised Statutes of Ohio, authorizing the coroner of all counties having a city of the first grade of the first class to appoint a clerk, at a salary not to exceed $1200 per annum.

Hamilton county:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section 1209 of the Revised Statutes of Ohio, with sectional numbering as follows:

Coroner's clerk.

SEC. 1209*a*. The coroner in all counties having a city of the first grade of the first class may appoint a clerk, at a salary not to exceed twelve hundred ($1200) dollars per annum; and the auditor of the county is authorized to draw his warrant upon the county treasurer therefor, who shall pay the same out of any fund not otherwise appropriated.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[Senate Bill No. 301.]

AN ACT

To re-appropriate money appropriated by an act entitled an act "to appropriate money to purchase lands upon which to erect a monument to the memory of the soldiers of Ohio who died upon the battle-field of Gettysburg," passed May 4, 1885, and the act to amend and supplement the same, passed April 21, 1886.

Gettysburg monuments:

WHEREAS, The sum of sixteen hundred and fifty-eight dollars and fifty-two cents of the amount appropriated by an act to appropriate money to purchase land upon which to erect a monument to the memory of the soldiers of Ohio, who died upon the battle-field of Gettysburg, passed May 4, 1885, has lapsed; and

WHEREAS, The sum of $2,490 51-100 of the amount appropriated by an act to amend and supplement an act entitled an act to appropriate money to purchase lands, upon which to erect a monument to the memory of the soldiers of Ohio, who died upon the battle-field of Gettysburg, passed May 4, 1885, will

also lapse on the 21st day of April, 1888, unless previously expended; and

WHEREAS, For the completion of the purposes for which said sums were originally appropriated, it is necessary that they should continue to be available for said purposes; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said sums be and are hereby re-appropriated out of any money in the treasury to the credit of the general revenue fund not otherwise appropriated.

Re-appropriation of certain moneys.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH. H ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[House Bill No. 48]

AN ACT

To provide for the abandonment and sale of the Wabash and Erie canal and Six Mile reservoir in Paulding county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the use for canal purposes of the Wabash and Erie canal from the place of its intersection with the Indiana and Ohio State line, to the first lock below the Six Mile reservoir, all in Paulding county, Ohio, together with the Six Mile reservoir in said county, is hereby abandoned as hereinafter provided for, and all right, title and interest of the state in any land, in or adjacent thereto, together with all timbers, stone or other material, belonging thereto, shall be appraised, advertised and sold as hereinafter provided. But the state board of public works shall have full power to reserve for the use of other canals, any timbers or stone which can be economically transported from the said canal and reservoir to the other canals on which it is desired to so use the said material; provided, that the said board, prior to the appraisement of said canal property, shall notify the commission hereinafter provided for, of the amount of said material which they desire to use; and the commissioners of Paulding county are hereby authorized to deepen and widen, under the drainage laws of the state, any portion of said canal so abandoned.

Abandonment of the Wabash and Erie canal and Six-mile reservoir.

Lands and material to be sold.

Reservation of material; notice thereof.

Use of abandoned canal for drainage purposes.

Terms of sale to be fixed by sinking fund commissioners.

SECTION 2. That upon the passage of this act the commissioners of the sinking fund of the state shall determine the terms of payment on which said property shall be sold, and the commission appointed by the governor, by and with the advice and consent of the senate under S. B. No. 21, passed March 24, 1888, shall proceed to make a personal inspection of the said canal and reservoir property, and if, in their opinion, it would be to the best interest and welfare of the citizens of Paulding county, and the state of Ohio, that said portion of the Wabash and Erie canal, and the Six Mile reservoir, or either of them should be abandoned, they shall proceed to appraise and sell said property as hereinafter provided for, and in appraising said property shall have such assistance from the chief and resident engineers and secretary of the board of public works, as they may require; and, in making such appraisement, may appraise said property in divisions or sections of such lengths or amounts, and appraise separately, as, in their opinion, will best suit the convenience of purchasers, and facilitate the sale thereof to the best advantage and for the most money. They shall make a complete report, in writing, in which they shall itemize each division with its value as appraised by them, which shall be returned to the auditor of state within ninety (90) days from the date of their appointment.

Inspection to be made by canal commission.

Appraisement of property.

Report to auditor of state.

Auditor of state to advertise and sell said property.

SECTION 3. The auditor of state shall receive and file the same, and the said commission shall forthwith proceed to advertise the said canal and reservoir property for sale, by giving notice of the time, place and terms thereof, for four (4) consecutive weeks in two (2) newspapers of opposite politics, published and having a general circulation in said county, and also in two newspapers of opposite politics, published and having a general circulation in the state. And upon the day and hour named in such advertisement, shall offer the same for sale at public auction at the court-house in Paulding, Ohio, and then and there sell the same to the highest and best bidder or bidders; provided, the same, or any part thereof, shall not be sold for less than two-thirds ($\frac{2}{3}$) of the appraised value thereof, nor in tracts of more than eighty (80) acres each, and that if all or any part thereof of said property remains unsold for want of bidders, the said commission shall again advertise and sell the same as aforesaid. And if any of said property remains unsold after having been twice offered for sale, the same shall be appraised agreeable to section two (2) and three (3) of this act, and again exposed to sale, the same as above provided for.

Proviso.

Re-advertising and sale of property unsold.

Re-appraisement.

Report of commission to governor.

SECTION 4. That upon making sale of said property as provided in section 3 of this act, the said commission shall make a report of their proceedings to the governor, and upon receiving his approval in writing, they shall submit all their findings, and action to the attorney general, who shall examine the same, and if found regular and legal, according to the provisions of this act, he shall endorse his approval thereon, which shall be filed with the auditor of state. The auditor

Their acts to be approved by attorney general.

shall record said report with the approval of the attorney-general, and shall enter an account between all purchasers and the state; and on the payment by the purchasers of the proper amount, as determined by the report of said sale, and the terms as agreed upon by the commissioners of the sinking fund, the auditor shall properly execute and deliver to the purchaser, a certificate of sale for such of said property so purchased and paid for. And at the time of the payment of the full amount of said purchase money, together with annual interest of six (6) per cent. per annum on all deferred payments from day of sale to time of payment, the evidence of which payment shall be shown by a receipt from the auditor of state, the governor of the state of Ohio shall properly execute and deliver to the purchaser or his assigns a deed of conveyance of said lands so sold and paid for.

Record of said report and approval; accounts with purchasers.

Execution of certificates of sale.

Deeds for lands purchased.

SECTION 5. That the auditor shall pay the proceeds of such sale into the state treasury, to the credit of the Ohio and Miami and Erie canals.

Disposition of proceeds of sale.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[Senate Bill No. 257].

AN ACT

To amend "an act for the establishment and maintenance of public libraries in certain cities of the first class." (Passed and took effect April 13, 1873, vol. 70, page 142).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any city of the third grade of the first class, the city council may, by a resolution passed by a majority of the members elected thereto, declare it to be essential to the interests of such city, to establish and maintain therein a public library and reading-room. That thereafter the said city council shall, annually, levy a tax of four-tenths of one mill on the dollar on the taxable property of such city for that purpose, to be called the library fund; and which levy shall be certified to the county auditor of the county, and by him placed on the tax duplicate of the county and collected as other taxes.

Establishment of Toledo public library.

Tax for library fund.

Their safe-keeping; interest thereon to be paid to whom.

of each member thereof. The commission shall make ample provision for the safe-keeping of such hypothecated bonds; and the interest thereon, when paid, shall be turned over to the bank so long as it is not in default as aforesaid.

Treasurer to act as custodian of such funds in case a depositary cannot be secured.

SECTION 9. If at any time, for any cause, the commission be unable to secure a depositary as provided by preceding sections, the money shall remain in the custody of the treasurer aforesaid, if in his custody at the time, and if in a depositary, and its removal be ordered, it shall be transferred to such treasurer, in the manner provided in section seven for removals, and in either case such treasurer shall be custodian as aforesaid until such time as a depositary is secured in accordance with the provisions of this act; and while he remains such custodian the money shall be paid out by him on warrants of the city auditor, and orders of the president and clerk of the board of education, respectively, which in such case shall not be in duplicate; but he shall keep such books, and make such statements of receipts and payments, both as city treasurer and as treasurer ex-officio as aforesaid, as are required by this act when the money is in the custody of a depositary, except that such books and statements shall show that the money is in his custody instead of being in the custody of a depositary.

His disbursements, books and statements.

Duty of city boards, employes, etc., to deposit public funds with treasurer.

SECTION 10. It shall be the duty of every board, officer, agent, and employe of each city of the grade and class aforesaid, having money in their hands belonging to the city, to deposit such money with the city treasurer upon the taking effect of this act; and thereafter such boards, (except the board of cemetery trustees,) officers, agents, and employes as receive money on account of the city shall deposit with such treasurer daily all money so received by them; but the board of cemetery trustees shall make such deposits weekly.

Notice to treasurer of the selection of a depositary.

Deposits by treasurer in such depositary.

City and school funds to be kept separate.

Interest on such funds, how computed and credited.

SECTION 11. The treasurer aforesaid shall, upon the receipt of a written notice, signed by the president and secretary of the commission, stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected, deposit in such depositary all the money in his custody belonging to the city and to the school district respectively, and thereafter he shall, at the close of each business day, deposit therein his total receipts for the day; but money belonging to the city shall be deposited to the credit of the city, and money belonging to the school district shall be deposited to the credit of the district. All money so deposited shall bear interest at a rate specified in the proposal of the bank selected as depositary, to be computed on daily balances, and on the thirtieth day of June and the thirty-first day of December each year, and at any time the accounts are closed, the depositary shall place such interest on the money of the city to the credit of the city, and that on the money of the school district to the credit of the district, and, in

writing, notify the city auditor of the amount so credited to the city, which he shall credit to the interest fund of the city, and in like manner the depositary shall notify the president of the board of education of the school district of the amount so credited to the district, which shall be credited to its several funds in proportion to the total amount of each deposited.

Notices of such credits to whom to be given.

SECTION 12. The depositary shall, in writing, notify the city auditor, before noon of each business day, of the amount of deposits to the credit of the city made by the city treasurer the preceding business day, and shall also notify the president of the board of education, in like manner, and at the same time, of the amount of deposits to the credit of the school district made by the treasurer of the school funds the preceding business day; and the depositary shall pay out money deposited under the provisions of this act only on the checks of the city treasurer, as such, or as treasurer ex-officio of the school funds, and no such check shall be valid or payable, unless it have partly printed and partly written, on the same paper therewith, a duplicate of the warrant of the city auditor, or of the order of the president and clerk of the board of education, as the case may be, authorizing the payment of the sum specified in the check. All such warrants and orders shall be drawn and signed in duplicate, one of which shall have printed upon its face the word "original," and shall be filed and kept in the office of the treasurer to whom it is issued, and the other shall have printed upon its face the word "duplicate," and shall be and remain unsevered from the check of such treasurer.

Daily notices by depositary of treasurer's deposits.

How disbursements by the depositary shall be made; checks.

Warrants and orders.

SECTION 13. Before noon of each business day the city treasurer shall make to the city auditor a sworn statement, showing for the preceding business day, the total amount of money received by him, the total amount deposited in the depositary, the total amount of checks issued on the depositary, and the balance in the depositary, and he shall keep such books as shall enable him to make such statements; and as treasurer ex-officio of the school funds, he shall keep like books on behalf of the school district, and make a like statement before noon of each business day, to the president of the board of education. All money paid to the city treasurer, shall be paid upon the order or draft of the city auditor, and all money paid to the treasurer of the school funds shall be paid upon the order or draft of the president and clerk of the board of education, and receipts given therefor shall be in duplicate, one of which shall have printed upon its face the word "original," and the other the word "duplicate." The duplicates of receipts for money belonging to the city shall be filed with the city auditor, and the duplicates of receipts for money belonging to the school district shall be filed with the president of the board of education, and each duplicate shall be so filed on the day of its date;

Daily statements required of treasurer.

Books required to be kept.

Moneys, how paid to treasurer.

Duplicate receipts.

Power of trustees to accept devises, donations, etc.

SECTION 8. Any person or persons desiring to make, devise or bequest, donation or gift of either books, personal property, money or real estate, to and for the use and benefit of such library, may vest the same or title thereto in the said trustees created under this act; to be held and controlled by said board, its successors, when accepted, according to the terms of such devise, bequest or deed of gift of such property; and as to such property the said board of trustees shall be held and considered special trustees thereof.

This act applies to library now established.

SECTION 9. Any public library now established, maintained and in operation under and by virtue of the provisions of the act of which this is amendatory, and the board of trustees and officers thereof, shall be governed by the provisions of this act, and the trustees shall succeed to and be vested with all the rights, powers and privileges herein granted.

SECTION 10. That the said original act be and the same is hereby repealed.

SECTION 11. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[House Bill No. 98].

AN ACT

To amend section 475 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 475 of the Revised Statutes, as amended April 15, 1880, be amended so as to read as follows:

Appointment of official court stenographers in certain counties.

SEC. 475. The judges of the courts of common pleas and probate court in all counties in this state containing cities of thirty thousand inhabitants, or over, by the last federal census, shall appoint two stenographic reporters, skilled in their profession, to be official stenographers of such courts, and in all other counties when, in the opinion of the judge of the court of common pleas, the business requires one, who shall

Term, removal.

hold their office for the term of three years from the date of their appointment, and until their successors are appointed and qualified, unless they or either of them be removed by the judges for the neglect of duty, misconduct, or incompetency; and where there now is, or hereafter may be, a superior court

in such county, the judges of such courts and of the court of common pleas and probate court in such county, shall jointly make the appointments herein provided for. Such official stenographers shall take an oath that they will faithfully discharge the duties of their office; but in counties not having cities of thirty thousand inhabitants, or more, the per diem of such stenographers shall not exceed seven dollars, no part of which shall be paid out of the county treasury, except in criminal cases, but shall be taxed as other costs. And in the trial of any case in such county, whether civil or criminal, only one such per diem compensation shall be allowed to the stenographers taking the minutes of such trial. And whenever in any county, the services of one or more additional stenographers are necessary, the judges of the courts authorized by this act may appoint assistant stenographers, who shall be skilled in their profession, take a like oath, serve for such time as their services may be required by the court; and in counties containing cities of thirty thousand inhabitants or more, shall be paid at the same rate and in the same manner as the other official stenographers; but in all other counties only one per diem compensation shall be allowed, and as hereinbefore provided. Provided, also, that the assistant stenographers shall not be required to keep offices in the court-house, but shall file their reports in the office of the official stenographer, or in the office of the clerk of the court, as directed by the court.

Oath; per diem compensation in counties of less than 30,000 inhabitants.

Assistant stenographers; oath; term.

Compensation.

Not required to keep office in court house.

SECTION 2. That said original section, as amended April 15, 1880, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 185].

AN ACT

Requiring instruction in the common schools, and in certain educational institutions, as to the effect of alcoholic drinks and narcotics on the human system.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the nature of alcoholic drinks and narcotics, and their effects on the human system in connection with the subjects of physiology and hygiene, shall be included in the branches to be regularly taught in the common schools of the state, and in all educational institutions supported wholly or in part by money received from the state; and it shall be the

Instruction as to effect of alcoholic drinks and narcotics on the human system required in public schools.

Provision therefor.

duty of boards of education, and boards of such educational institutions, to make provisions for such instruction in the schools and institutions under their jurisdiction, and to adopt such methods as shall adapt the same to the capacity of the pupils in the various grades therein; but it shall be deemed a sufficient compliance with the requirements of this section if provision be made for such instruction orally only, and without the use of text-books by the pupils.

Oral instruction sufficient.

Examination required of teachers.

SECTION 2. No certificate shall be granted to any person on or after the first day of January, 1890, to teach in the common schools, or in any educational institution supported as aforesaid, who does not pass a satisfactory examination as to the nature of alcoholic drinks and narcotics, and their effects upon the human system.

Penalty for refusal or neglect to give such instruction.

SECTION 3. Any superintendent or principal of, or teacher in any common school or educational institution supported as aforesaid, who willfully refuses or neglects to give the instruction required by this act, shall be dismissed from his or her employment.

SECTION 4. This act shall take effect and be force from and after the first day of January, eighteen hundred and eighty-nine.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 634].

AN ACT

To amend section five of an act entitled "an act to change the sub-divisions of the eighth judicial district, and to provide for the election of one additional judge of the court of common pleas therein," passed May 4, 1869 (66 O. L., 97).

Election of additional common pleas judge in first subdivision, eighth district:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five of the act entitled "an act to change the sub-divisions of the eighth judicial district, and to provide for the election of one additional judge of the court of common pleas therein," passed May 4, 1869, be so amended as to read as follows:

Notice of election.

SEC. 5. That it shall be the duty of the sheriff in each county in said first sub-division at least fifteen days prior to the first Monday of June, 1869, and at least fifteen days prior to the first Tuesday, after the first Monday in November, of each year immediately prior to the expiration of each successive term of office of such additional judge, to give notice by

proclamation according to law of the time and place for holding the election of such additional judge, which election shall be held at the time and place of the general election for state and county officers, and shall be conducted and the returns thereof made in the manner required by law in case of the election of other judges of the court of common pleas, except that the abstract and certificate of the election in said first sub-division shall be transmitted by the clerk of the court of common pleas of Muskingum county to the secretary of state, who shall certify the same to the governor, and the governor shall thereupon issue a commission to each person elected to be such judge.

Time, place and conduct of election.

Certificate of election and commission.

SECTION 2. Said original section five is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No 743].

AN ACT

To amend "an act to supplement an act entitled 'an act supplementary to section 2559 of the Revised Statutes of Ohio,' passed March 21, 1887," as passed March 21, 1888 (85 O. L., p. 97).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That paragraph 16 of an act entitled, "an act to supplement an act entitled 'an act supplementary to section 2559 of the Revised Statutes of Ohio,' passed March 21, 1887," as passed March 21, 1888, be amended so as to read as follows:

Cincinnati city hall:

16. To provide additional funds for the purposes of appropriating property for the purpose of such city hall, and for completing the same, the board of public affairs of such city shall issue the bonds of such city in an amount not to exceed the sum of three hundred thousand dollars ($300,000), in the manner, on the terms, and under the conditions provided in paragraph twelve hereof;

Issue of additional bonds.

Condemnation of private property.

Provided that it shall be the duty of the board of trustees appointed under the provisions of this act, immediately upon passage hereof, at once to proceed to condemn and appropriate for the use of such city hall, such amount of private property lying adjoining to and not separated by a street or alley more than thirty (30) feet in width from any property already used by such city for city hall purposes, or in connection therewith as shall be necessary in order that the lot or ground for such city hall shall be bounded by four principal streets of such city; and immediately upon such condemnation having been made and the value of the property condemned legally ascertained, it shall be the duty of such board of trustees at once to certify the amount necessary to pay the compensation for such property to the board of public affairs of such city, whose duty it shall be to proceed under the provisions of this act to issue the necessary bonds to provide a fund to pay the same; and the balance of said $300,000, if any, shall be used by such board of trustees for completing said city hall, and making necessary changes in the plans thereof.

Payment of compensation.

Disposition of unexpended balance of $300,000.

SECTION 2. That said paragraph 16, as passed March 21, 1888, be and the same is hereby repealed; and this act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 177].

AN ACT

To amend section 1070 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1070, Revised Statutes, be amended to read as follows:

Additional compensation of county auditors.

SEC. 1070. The several county auditors shall receive compensation for their services, in addition to that provided for in the preceding section, as follows: In counties having a population of less than three thousand five hundred such inhabitants, two hundred dollars; in counties having three thousand five hundred and less than four thousand five hundred such inhabitants, two hundred and forty dollars; in counties having four thousand five hundred and less than five thousand five hundred such inhabitants, two hundred and eighty dollars; in counties having five thousand five hundred and less than six thousand five hundred such inhabitants, three hundred and twenty dollars; in counties having

six thousand five hundred and less than seven thousand five hundred such inhabitants, three hundred and sixty dollars; in counties having seven thousand five hundred and less than eight thousand five hundred such inhabitants, four hundred dollars; in counties having eight thousand five hundred and less than nine thousand five hundred such inhabitants, four hundred and forty dollars; in counties having nine thousand five hundred and less than ten thousand five hundred such inhabitants, four hundred and eighty dollars; in counties having ten thousand five hundred and less than eleven thousand five hundred such inhabitants, five hundred and twenty dollars; in counties having eleven thousand five hundred such inhabitants, five hundred and twenty dollars; in counties having eleven thousand five hundred and less than fifteen thousand such inhabitants, one thousand and forty dollars; in counties having fifteen thousand and less than seventeen thousand and five hundred such inhabitants, eleven hundred and twenty dollars; in counties having seventeen thousand five hundred and less than twenty thousand such inhabitants, twelve hundred dollars; in counties having twenty thousand and less than twenty-five thousand such inhabitants, fourteen hundred dollars; in counties having twenty-five thousand and less than forty thousand such inhabitants, twenty-four hundred dollars; in counties having forty thousand and less than fifty thousand such inhabitants, twenty-eight hundred dollars; in counties having fifty thousand and less than sixty thousand such inhabitants, thirty-two hundred dollars; in counties having sixty thousand and less than seventy thousand such inhabitants, thirty-four hundred dollars; in counties having seventy thousand and less than eighty thousand such inhabitants, four thousand dollars; in counties having eighty thousand and less than ninety thousand such inhabitants, forty-four hundred dollars; in counties having ninety thousand and less than one hundred thousand such inhabitants, forty-eight hundred dollars.

Additional compensation of county auditors.

Provided, however, that in counties whose auditor receives a fixed compensation payable out of the fee fund of said county the additional compensation herein provided for shall be received and paid in by him to the credit of said fee fund of said county, and in no event shall said auditor receive a greater compensation than the one so fixed by law, to be paid out of said fee fund.

SECTION 2. That original section 1070 of the Revised Statutes of Ohio is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 320].

AN ACT

To amend sections 794, 795, 796, and section 797 as amended March 19, 1880, vol. 77, page 72, and also to amend sections 798, 799, 800 and 801, of the Revised Statutes, and to enact supplementary section number 799*a*, with sectional numberings as follows:

Public buildings and bridges:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 794, 795, [] and section 797 as amended, and 798, 799, 800 and 801 be amended so as to read as follows, and that supplementary section be enacted with supplementary numberings as follows:

State, county, city and other officers shall require separate bids for contract work or materials.

SEC. 794. When any board of commissioners, board of trustees, officers, or board of directors of the state, or of any county, township, city, town, village, school or road district of the state, or of any public institution belonging to the same, or any common council or other municipal authority, who are now or at any time shall be authorized to contract or engage for the erection, repair, alteration, or rebuilding of any state-house, court-house, penitentiary, jail, infirmary, asylum, poor house, work house, school house, bridge, culvert, or other public building or improvement, and who are now or hereafter may be required by law to advertise for and receive proposals for the furnishing of materials and doing the work necessary for the erection of the same, such officer, board, or other authority, shall require separate and distinct proposals to be made for furnishing the materials or doing the work, or both, in their or his discretion, for each separate and distinct trade or kind of mechanical labor, employment, or business necessary to be used in making such public improvement; and in no case where more than one such trade or kind of mechanical labor, employment or business is required to furnish the materials for, and do any such work, shall any contract for the whole of the job, or any greater portion thereof than is embraced on [in?]one trade or kind of mechanical labor, employment or business, be awarded by any such officer, board, or authority, unless the separate bids do not cover all the work and materials required, or the bids for the whole, or for two or more kinds of work or materials are lower than the separate bids in the aggregate; and in all cases the contracts for the doing of the work belonging to each separate trade, or kind of mechanical labor, employment or business, or the furnishing of the materials for the same, or both, at the discretion of said officer or board, or other authority, shall be awarded to the lowest and best separate bidder therefor; and a contract for the same shall, in all cases, be made directly with him or them by said officer, board, or other authority, in the same manner and upon the same terms, conditions and limitations, as to giving bond, with security and otherwise, as are now prescribed by law, unless the same is let as a whole, or to bidders for more than one kind of work or materials, as

Manner in which contracts shall and shall not be awarded.

aforesaid; but the provisions of this section shall not apply to the erection of buildings and other structures of a less cost than ten thousand dollars.

Commissioners to procure plans, estimates, specifications, etc., for buildings and bridge sub-structures.

SEC. 795. In all cases where it becomes necessary for the commissioners of any county to erect or cause to be erected any public building, or any substructures for a bridge or bridges, or when it is necessary to make any addition or alteration of the same, whether the same is done under a general or special law passed for that purpose, such commissioners, before entering into any contract for the erection, alteration or repair thereof, or for the supply of any materials therefor, shall make or may procure some competent architect or civil engineer to make full, complete and accurate plans therefor, showing all the necessary details of the work and materials that will be required for the same, together with working plans suitable for the use of the mechanics or other builders during the constructing thereof, so drawn as to be easily understood, and also accurate bills, showing the exact amount of all the different kinds of materials to be used in the erection thereof, addition thereto, or in the alteration of the same, and they shall accompany the plan or plans. The architect or civil engineer shall also furnish complete specifications of the work to be done, showing the manner and style in which the same will be required to be done, and giving such directions for the same as will enable any competent builder to carry them out, afford to bidders all needful information to enable them to understand what will be required in the construction, addition to or alteration thereof; he shall also make a full, accurate and complete estimate of each item of expense, and the entire aggregate cost of the building, or bridge substructure as the case may be, or of any addition to or alteration thereof when completed; provided, that nothing in this section shall prevent the commissioners from receiving from bidders on iron substructures for bridges the necessary plans and specifications therefor.

Iron bridge substructure.

Relative to contracts for the erection, repair, etc., of bridge superstructures.

SEC. 796. When it becomes necessary to erect a bridge, the commissioners shall determine the length and width of the superstructure, whether the same shall be single or double track, and shall advertise for proposals for performing the labor and furnishing the materials necessary to the erection thereof; and the commissioners may, but are not required to, prepare or cause to be prepared plans, descriptions and specifications for such superstructures, which shall be kept on file in the auditor's office for inspection by bidders and all persons interested, and invite bids or proposals in accordance with the same; but they shall also invite, receive and consider proposals on any other plan at the option of bidders, and shall require that all proposals on such other plan shall be accompanied with plans and specifications showing and setting forth the number of spans, the length of each, the nature, quality and size of the materials to be used in the erection of such bridge, the strength of the structure when completed, and also whether there is any patent right on the proposed plan, or on any, and if any, what part thereof. And the commissioners

shall, in their advertisement for proposals, invite bidders to make the same for furnishing all the materials and performing all the work, or for such parts thereof as bidders may see proper, and shall state the time and place when and where bids will be opened and the contract or contracts awarded, at which time and place, or at a time to which they shall publicly adjourn the consideration of the same, they shall publicly open, read and examine such proposals as have been made, and shall award the contract or contracts for the furnishing of the material for and for the erection of such superstructure to the person or persons giving security as required by the provisions of this chapter, who is the lowest or best bidder or bidders, considering price, plan. material and method of construction ; and the plan or plans and specification or specifications upon and according to which such contracts are awarded, shall be kept on file in the office of the auditor and made a part of the contract with the successful bidder or bidders, as in this chapter provided for other contracts; and when it is necessary to make any addition to, or alteration or repairs of any bridge, the commissioners shall, in making contracts for the same, conform to the provisions of this section in relation to the erection of bridges as nearly as the nature of the case will permit.

Approval of plans, specifications, estimates, etc., for court house or jail.

SEC. 797. Such plans, drawings, representations, bills of material and specifications of work, and estimates of the cost thereof in detail and in the aggregate, as are required in the two preceding sections of this chapter to be made, if they relate to the building of any court house or jail, or any addition to or alteration or repair or improvement thereof, shall be submitted to the commissioners, together with the clerk of the court, the sheriff and probate judge, and one person to be appointed by the judge of the court of common pleas, for their approval, and if approved by them or a majority of them, a copy thereof shall be deposited with the county auditor, to be safely kept in his office; and if said plans, drawings, representations, bills of material and specifications of work and estimates of the cost thereof relate to the building, addition to, or alteration of an infirmary, then the same shall be submitted to said commissioners and infirmary directors, and if approved by them or a majority of them, a copy thereof shall in like manner be deposited in the office of the auditor and safely kept for the inspection and use of all parties interested; and if said plans, drawings, representations, bills of material, specifications of work and estimates relate to the building of a bridge, then the same shall be submitted to said commissioners, county auditor and county surveyor, and if approved by a majority of them, a copy thereof shall in like manner be deposited with the county auditor and kept for the purposes herein stated; and if the plan or plans, drawings, representations, bills of materials, specifications of work and estimates relate to the building of a children's home, then the same shall be submitted to said commissioners and three citizens of the county, to be

For infirmary.

For a bridge.

For a children's home.

appointed by a judge of the court of common pleas residing therein, or a judge residing in the same sub-division of the same judicial district, and if approved by a majority of them, a copy thereof in like manner shall be deposited with the county auditor and kept by him for the purposes herein stated; but before such plans are adopted, they shall be submitted to the state board of charities for suggestions and criticism; and the commissioners of counties composing a district for the purpose of establishing a district children's home, in letting contracts for the necessary buildings or in the repair or alteration thereof, shall be governed by the law relating to letting contracts for erecting, repairing or altering other public buildings.

Law governing letting of contracts for district home.

SEC. 798. After such plans, descriptions, bills of material, specifications and estimates are made and approved, as required by this chapter, the county auditor shall give public notice in two of the principal papers in any such county having the largest circulation therein; but if there is only one paper published in such county, then it shall be published in such paper of the time and place, when and where sealed proposals will be received for performing the labor and furnishing the materials necessary to the erection of any public building, bridge or bridge structure, or any addition to or alteration thereof, and a contract or contracts based on such sealed proposals will be made, which notice shall be published weekly for four consecutive weeks next preceding the day named for the making such contract or contracts, and shall state when and where such plan or plans, descriptions, bills and specifications can be seen, and which shall be open to public inspection at all reasonable hours, between the date of such notice and the making of such contract or contracts; but when the estimated cost of any public building or a bridge, and the substructure thereto, or of making any addition to or repair of any public building, bridge and substructures for the same does not exceed one thousand dollars; the same may be let at private contract without publication.

Advertisement for proposals.

Private contracts.

SEC. 799. It is competent for the commissioners if they fail to make the contract or contracts as herein provided for, on the day named in the notice, to continue from day to day until such contract or contracts be made; but such contract or contracts, so far as they relate to public buildings or bridge substructures, shall be awarded to and made with the person or persons who offer to perform the labor and furnish the material at the lowest price, and give good and sufficient bond for the faithful performance of their contracts in accordance with the plan or plans, descriptions and specifications herein required, which plan or plans, descriptions or specifications are made a part of such contract or contracts. All contracts herein provided for that exceed one thousand dollars in amount shall be submitted by the commissioners to the prosecuting attorney of the county before any work is done or material furnished, and if found by him to be in ac-

Adjournment of letting of contracts from day to day.

To whom certain contracts shall be awarded.

Contracts to be submitted to prosecuting attorney.

cordance with the provisions of this chapter, and his certificate to that effect is endorsed thereon, the contract or contracts shall have full force and effect, otherwise they shall be null and void; but if such contractor or contractors fail or refuse to proceed with the work specified in his or their contract or contracts, in accordance with the plans, descriptions and specifications attached to and made part of such contract or contracts, the commissioners shall have power to declare such contract or contracts annulled, and shall proceed to make another contract or contracts for the completion of such work, in accordance with the provisions of this chapter.

Power of commissioners to annul old and make new contract.

Limitation on the amount of bonds hereinbefore required.

SEC. 799*a*. The bonds provided for and required to be taken by any board or officer of the county, township, city, town, village or school district of the state, by virtue of sections 794, 795, 796 and 797 as amended, and sections 798 and 799 of the Revised Statutes, shall not exceed fifty per cent. of the estimated cost of any public building, bridge superstructure or bridge substructures, or repairing, altering or rebuilding the same; and the officers named herein may require the person or persons on the bond of the successful bidder or bidders to qualify that they are residents of the state of Ohio, and are jointly worth a greater sum than the amount named in the bond over and above all liabilities and exemptions allowed by law. Any officer violating any of the provisions of chapter 12 shall be fined in any sum not exceeding one thousand dollars.

Qualification of sureties.

Penalty.

SEC. 800. No contract or contracts shall be made for any public building, bridge or bridge substructure, or for any addition to, change, improvement or repair of the same, or for the labor and materials herein provided for, at a price in excess of the estimates in this chapter required to be made.

No contract shall be made fo price exceeding estimate.

SEC. 801. At the times named in the contract or contracts made and filed with the county auditor, in accordance with the provisions of this chapter, for payment to the person or persons with whom such contract or contracts had been made, the commissioners or any architect they employ to superintend the erection of any public building, bridge or bridge substructure, or of adding to or altering or improving the same, shall make or cause to be made a full, accurate and detailed estimate of the various kinds of labor and material performed and furnished under such contract or contracts with the amount due for each kind of labor and material and the amount due in the aggregate, which estimate shall in all cases give the amount of the preceding estimate or estimates, and the amount of labor performed or material furnished since the last estimate or estimates so made as in this chapter required, and the estimates shall be recorded in a book for that purpose, to be provided by the commissioners and kept by the auditor, who shall furnish copies of all such estimates to the contractor or contractors as the same shall from time to time be made.

When estimates of work done, material furnished, etc., shall be made.

Record of estimates.

SECTION 2. That said original sections 794, 795, 796 and 797 as amended, and original sections 798, 799, 800 and 801 are hereby repealed; and the sections hereby enacted shall be held to apply fully to the erection of all public buildings, anything in other sections of the Revised Statutes to the contray, notwithstanding, and this act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 272].

AN ACT

To authorize the board of public works to enlarge a culvert under the Hocking canal in the village of Logan, Ohio.

Enlargement of culvert under Hocking canal at Logan.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works be, and the same is hereby authorized to enlarge the culvert under the Hocking canal, in the third ward of the village of Logan, Hocking county, Ohio, to sufficient capacity to carry off the water drained through it, and to prevent the overflow and injury of adjacent lands.

Contract therefor.

SECTION 2. The board may contract for the enlargement of said culvert, or cause the same to be done in such manner as may be deemed best for the interest of the state.

Appropriation.

SECTION 3. To enable the board of public works to carry into effect the provisions of this act, there is hereby appropriated from any money in the state treasury to the credit of the general revenue fund, a sum not to exceed fifteen hundred dollars, to be paid on the order of the board.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 502].

AN ACT

Supplementary to section 1603 of the Revised Statutes of Ohio.

Annexation of territory by municipalities:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplementary to section 1603 of the Revised Statutes of Ohio, with the following sectional number:

When such territory lies partly in another county or counties.

SEC. 1603*a*. Where the territory sought to be annexed is partly in the county in which the corporation is situated, and partly in another county, or counties, the proceedings shall be in that county in which there is the largest number of qualified voters residing upon the territory sought to be annexed, and, so far as practicable, such proceedings shall be as directed in sections fifteen hundred and sixty-six and fifteen hundred and sixty-seven.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 601].

AN ACT

To amend section 3 of an act to authorize county treasurers to pay certain moneys, and for other purposes, passed January 28, 1887.

Cincinnati:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act to authorize county treasurers to pay certain moneys, and for other purposes, passed January 28, 1887, be amended so as to read as follows:

Excess infirmary funds applied to police purposes.

SEC. 3. All moneys that may be received by the directors of the city infirmary of cities of the first grade of the first class, after June 1, 1888, for the support of such infirmary, from any source whatsoever, in excess of the amount appropriated to and expended by such directors of such infirmary for the support, maintenance and operation of such infirmary, shall, on the 31st of December of each year, the end of the fiscal year, be placed by the comptroller of such city to the credit of and for the use of the police department of such city.

SECTION 2. That said original section 3 of an act to authorize county treasurers to pay certain moneys, and for other purposes, as passed January 28, 1887, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 254.]

AN ACT

To amend section 1709 of the Revised Statutes of Ohio, as amended March 30, 1880 (vol. 77, O. L., p. 94), and section 1775 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1709 of the Revised Statutes of Ohio, as amended March 30, 1880 (vol. 77, O. L., p. 94), and section 1775 be so amended as to read as follows:

Cities of the first class:

SEC. 1709. Officers who are elected shall serve two years, except the clerk of the police court, who shall serve three years, except that in cities of the first grade of the first class, the city comptroller shall serve three years, and [in] cities of the second and third grades of the first class, the city auditor and civil engineer shall serve three years; in cities of the second grade of the first class, the solicitor shall serve four years; in cities of the first grade of the first class, the solicitor's term is hereby extended to four years from the commencement thereof, and the term of the solicitor shall thereafter be four years. And all officers who are appointed shall serve one year, except as otherwise provided in this title.

Terms of officers.

SEC. 1775. When any officer of the corporation entertains doubts concerning the law in any matter before him in his official capacity, and desires the opinion of the solicitor, he shall clearly state to the solicitor, in writing, the question upon which the opinion is desired, and thereupon it shall be the duty of the solicitor, within a reasonable time, to reply orally or in writing to every such inquiry; and the right here conferred upon officers shall extend to the council, and to each

City solicitor shall give opinions.

Cincinnati.

board provided for in this title; provided, however, that in cities of the first grade of the first class, the city solicitor shall, in his official capacity, also act as the legal adviser of, and attorney for the board of police commissioners.

SECTION 2. Section 1709, as amended March 30, 1880, and section 1775 of the Revised Statutes are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 192].

AN ACT

To amend section 4644 of the Revised Statutes of Ohio.

County roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4644 of the Revised Statutes of Ohio be amended so as to read as follows:

If viewer fail to attend, how another appointed.

SEC. 4644. If a person appointed as viewer or reviewer on any road by the commissioners or probate judge of the county, fail to attend at the place specified in the order at or before ten o'clock A. M. of the day in the order specified, the surveyor and two viewers shall fill the vacancy by appointing a judicious, disinterested freeholder of the county, and in case of a review when five viewers are required, the surveyor and not less than three of the viewers may appoint a judicious freeholder of the county to fill the vacancy, who shall be required to take the same oath and be vested with the same power to do and perform the same duties as if he had been appointed by the commissioners or probate judge of the county.

SECTION 2. Said original section 4644 of the Revised Statutes of Ohio is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 86].

AN ACT

To amend section 6454 of the Revised Statutes of Ohio, as amended March 21, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6454 of the Revised Statutes of Ohio, as amended March 21, 1888 (vol. 85, page 94), be amended so as to read as follows:

SEC. 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors and in all proceedings to prevent crime in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, Summit, Hardin, Delaware, Morgan, Trumbull, Logan, Morrow, Muskingum, Marion, Warren, Pickaway, Seneca, Ross, Butler, Huron, Jackson and Van Wert.

Concurrent criminal jurisdiction of probate court.

SECTION 2. That section 6454, as amended March 21, 1888 (85[v.]94), be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 325].

AN ACT

To amend section 4656 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4656 of the Revised Statutes be so amended as to read as follows:

Application to change county road:

SEC. 4656. If the freeholders report to the commissioners that the prayer of the petitioner is reasonable, and that the alteration will not place the road on worse ground, or increase

Proceedings on report of viewers.

the distance to the injury of the public, they shall upon receiving satisfactory evidence that the proposed new road has been opened a legal width, and in all respects made equal to the old road for the convenience of travelers, and if in their opinion the same will be just and reasonable, declare such new road a public highway, and make record thereof, and at the same time vacate so much of the old road as is rendered necessary [unnecessary ?] by the new; and the person desiring the alteration shall pay all the costs of the new survey and return, unless the commissioners are satisfied that the alteration is of sufficient advantage to the public to cause the same to be paid by the county. And provided, that any appeal heretofore or hereafter taken, remaining imperfected or not prosecuted to a hearing for two years after the giving of the appeal bond, shall be dismissed, and the county commissioners shall proceed under their order as though no appeal had been taken therefrom.

SECTION 2. That said original section 4656 is hereby repealed.

SECTION 3. This act shall take effect six months after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 591].

AN ACT

Making appropriations to pay the principal and interest on the public debt, and interest on the irreducible debt, and expenses of the sinking fund commissioners.

Appropriation for part payment of the public debt and interest.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named:

For the payment of the principal of the funded debt, due July 1, 1888, six hundred thousand dollars ($600,000).

For the payment of interest on the funded debt, one hundred and three thousand, two hundred dollars ($103,200), or so much thereof as may be necessary to pay the interest falling due July 1, 1888, and January 1, 1889.

For the interest on the irreducible debt of the state, which constitutes the school, ministerial indemnity fund, Ohio university and Ohio state university, two hundred and seventy-five thousand dollars ($275,000); or so much thereof as may be necessary to pay said interest.

For expenses of the sinking fund commissioners.

For the payment of the expenses of the commissioners of the sinking fund, including salary of clerk, fifteen hundred and eleven dollars and thirty cents ($1,511.30).

For the expenses of the commissioners in paying the loan and interest due July 1, 1888, and January 1, 1889, eight hundred dollars ($800.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[Senate Bill No. 283].

AN ACT

To amend section 2263 of the Revised Statutes of the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2263 of the Revised Statutes be amended so as to read as follows:

Assessments which may be assessed on general tax lists.

SEC. 2263. When the corporation appropriates, or otherwise acquires, lots or lands for the purpose of laying off, opening, extending, straightening, or widening a street, alley, or other public highway, or is possessed of property which it desires to improve for street purposes, the council may assess the cost and expenses of such appropriation or acquisition, and of the improvement, or of either, or of any part of either, upon the general tax-list, in which case the same shall be assessed upon all the taxable real and personal property in the corporation.

SECTION 2. That section 2263 of the Revised Statutes be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[Senate Bill No. 179].

AN ACT

To require the county commissioners, in counties containing a city of the second grade of the first class, to provide a depositary for the county funds, and for other purposes.

Cuyahoga county: depositary for public moneys.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in each county containing a city of the second grade of the first class, it shall be the duty of the county commissioners to designate, in the manner hereinafter provided, a bank situated in the county, and duly incorporated under the laws of this state or of the United States, as a depositary of the money of the county.

Advertisement for proposals from banks for use of such moneys.

SECTION 2. The commissioners shall, on the taking effect of this act, and thereafter triennially, publish, in two daily newspapers published and of general circulation in the county, on the second day of the week, for two consecutive weeks, a notice which shall invite sealed proposals from all banks coming within the provisions of the preceding section, which proposals shall stipulate the rate of interest that will be paid for the use of the money of the county as provided herein; and each proposal shall contain the names of the sureties who will be offered upon the undertaking of the bank filing the same in case the proposal be accepted.

Opening of proposals; award; rejection of bids; re-advertising.

SECTION 3. On the Monday next following the last insertion of such notice, at the hour of twelve o'clock, noon, the commissioners shall, in open session, open such sealed proposals, and shall award the use of the money of the county to the bank that offers the highest rate of interest therefor; and if two or more banks offer the same highest rate of interest, the use of the money may be awarded to either of them, or the commissioners may reject all proposals and advertise for others in the manner aforesaid.

Undertaking required of depositary.

SECTION 4. No such award shall be binding on the county, nor shall any of the money of the county be deposited thereunder, until there is executed by the bank selected and accepted by the commissioners, a good and sufficient undertaking, payable to the county, and to be recovered in the name of the county commissioners for the use of the county, in such sum, not less than one million dollars, as the commissioners shall direct, signed by not less than six resident freeholders as sureties, to the satisfaction of the commissioners, and conditioned for the receipt, safe-keeping, and payment over, as provided herein, of all money which may come into its custody under and by virtue of this act, and under and by virtue of its proposal and the award of the commissioners, together with the interest thereon at the rate specified in the proposal; and the undertaking shall be further conditioned for the faithful performance by the bank of all the duties imposed by this act upon the depositary of the money of the county.

SECTION 5. Such undertaking shall not be accepted by the commissioners until it has been submitted to the prosecuting attorney, and certified by him to be in due and legal form, and conformable to the provisions of this act, which certificate shall be indorsed thereon; and if any bank to which an award is made as aforesaid fail to execute an undertaking as required hereby, to the acceptance of the commissioners, within three days from the time the award is made, the commissioners may award the use of the money to any other bank whose written proposal offers the same rate of interest therefor as designated in the proposal of such defaulting bank; but if the written proposal of no other bank offers the same rate of interest they may award such use to any bank whose written proposal offers the next highest rate of interest therefor, the undertaking required to be executed in either case; or the commissioners may, in case of default as aforesaid, reject any or all bids and advertise for others in the manner aforesaid.

Same to be approved by prosecuting attorney.

Failure to execute same.

New award.

Rejection of all bids; re-advertising.

SECTION 6. The bank to which an award is made shall, upon the acceptance by the commissioners of the undertaking provided for herein, become the depositary of the money of the county, and remain such until the undertaking of its successor is accepted by the commissioners; but the commissioners may, at any time they deem the same necessary, require additional security from the bank, in such sum as they shall designate; and if the bank refuse or neglect, for the period of five days thereafter, to give such additional security, they may order the removal of the county's deposits therefrom forthwith, and may designate some other bank to be the depositary thereof temporarily, at such rate of interest, or without interest, as they may determine. Such removal, and all other removals under the provisions of this act, shall be made upon the written order of the commissioners; and the county auditor shall, upon the receipt of such order, issue his warrant, and the county treasurer his check, for the removal. If the money, in case of such removal, be deposited in a bank designated as a depositary temporarily, such bank shall, before the receipt by it of any such money, enter into an undertaking as required by preceding sections; but if no bank be so designated, the money shall be disposed of as provided in section eight.

When a bank becomes such depositary.

Additional security.

Removal of public moneys; temporary depositary.

SECTION 7. The commissioners may, in lieu of the undertaking provided for by preceding sections, accept as security, for money deposited as aforesaid, interest-bearing bonds of the county, or of the city in which the depositary is located, the face value of which shall not be less than the sum specified in section four as the amount to be named in the undertaking in lieu of which such bonds are accepted; or they may accept such bonds as partial security, to the extent of their face value, for the money so deposited, and require an undertaking for the remainder of the full amount specified in said section to be named in the undertaking, and in the undertaking so required such acceptance of bonds as partial

Hypothecation of interest bearing bonds entirely or partly in lieu of such undertakings.

Indorsement.

security, and the extent thereof, shall be set forth. The hypothecation of such bonds shall be by indorsement of the fact and purpose on the back of each, which indorsement shall stipulate that the bond shall be the property of the county in case of any default on the part of the bank in its capacity as depositary as aforesaid, and that its negotiation or release by the commissioners shall require the signature of each member of the board. The commissioners shall make ample provision for the safe-keeping of such hypothecated bonds; and the interest thereon, when paid, shall be turned over to the bank so long as it is not in default as aforesaid.

Safe-keeping; interest thereon.

Deposit of funds in county treasury when a depositary cannot be secured.

SECTION 8. If at any time, for any cause, the commissioners of any such county be unable to secure a depositary as provided by preceding sections, the money of the county shall remain in the custody of the county treasurer, if in his custody at the time, and if in a depositary, and its removal be ordered, it shall be removed to the county treasury, in the manner provided in section six for removals, and in either case the treasurer shall be the custodian thereof until such time as a depositary is secured in accordance with the provisions of this act; and while he remains such custodian the money shall be paid out by him on warrants of the auditor, which in such case shall not be in duplicate; and during such time he shall keep such books, and make to the auditor such statements of receipts and payments, as are required in case the money of the county is in the custody of a depositary designated by the commissioners, except that they shall show that such money is in the custody of the treasurer instead of such depositary.

His disbursements; books and statements.

Deposits by treasurer in depositary.

SECTION 9. The treasurer shall, upon the receipt of a written notice from the commissioners stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected as such depositary, deposit, to the credit of the county, all money in his possession, except as provided in section fourteen, in the bank constituted the depositary as aforesaid; and thereafter he shall, before noon of each business day, deposit in such depositary all money received by him the preceding business day, except as provided in section fourteen; and such money shall be payably only on the check of the treasurer, which check shall not be valid or payable unless it have partly printed and partly written, on the same paper therewith, a duplicate of the warrant of the county auditor authorizing the payment of the sum for which the check is drawn. All warrants issued by the auditor upon the treasurer for the payment of money (except as provided in section fourteen, and also when the money of the county is in the custody of the treasurer), shall be drawn and signed in duplicate, one of which sha'l have printed upon its face the word "original," which shall be filed and kept by the treasurer in his office, and the other of which shall have printed upon its face the word "duplicate," and shall be and remain unsevered from the check of the

Money how disbursed from depositary; treasurer's checks; auditor's warrants.

treasurer. The auditor shall issue no warrant payable from any fund unless there is money belonging thereto for the payment thereof in full, notwithstanding the provisions of section eleven hundred and eight of the Revised Statutes; but when any fund is exhausted, and the commissioners are satisfied that, of the undivided money on hand received on account of taxes, the portion thereof that will belong to such fund upon the next semi-annual distribution of such money is in amount such that a part of it may judiciously be assigned to such exhausted fund in advance of such distribution, they may make an order directing such assignment, and the auditor shall notify the treasurer thereof in writing. All money deposited with the depositary shall bear interest at the rate specified in the proposal on which the award to it was made, to be computed on daily balances, and such interest shall be placed to the credit of the county on the first day of March and the first day of September each year, or at any time when the account may be closed. The depositary shall notify the auditor, in writing, before noon of each business day, of the amount of deposits made by the treasurer for the preceding business day, and when the interest is credited to the county the depositary shall notify the auditor and treasurer, in writing, of the amount thereof, before noon of the next business day, and all such interest shall be credited to the general fund of the county.

Warrants not to be drawn, unless, etc.

Assignment of undivided tax receipts to exhausted funds.

Interest on money in depositary how computed and credited.

Depositary's notices to auditor and treasurer.

SECTION 10. Each business day the treasurer shall make to the auditor a sworn statement showing for the preceding business day the total amount of money received by him, the total amount deposited in the depositary, the total amount paid by check on the depositary, the total amount paid out in cash, the balance in the depositary, and the balance in the treasury; and he shall keep such accounts, in books to be provided for that purpose, as shall enable him to make such statements. All money paid to the treasurer, except for taxes, and except also money received from the state treasury, shall be upon the order of the auditor, and the treasurer shall give receipts therefor, each of which shall be made and signed in duplicate, one of which shall have printed across its face the word "original," and the other the word "duplicate," and each duplicate shall be filed with the auditor on the day of its date; and each such receipt shall show the amount received, from whom received, and on what account, and shall state the fund to which the money is to be applied; provided, that in case of money received by the treasurer from the state treasury the triplicate warrant required by section ten hundred and eighty-five of the Revised Statutes to be transmitted to the auditor by the auditor of state shall take the place of the duplicate receipt above provided for; and the treasurer shall not give receipts for taxes in duplicate, but in lieu thereof shall, at the close of each business day, file with the auditor a statement of the amount of money received by him for taxes and penalties during the day.

Treasurer's daily statement to auditor.

Accounts.

Moneys how paid to treasurer; receipts.

Moneys received by treasurer from state treasury.

Daily tax statements.

Books to be kept by auditor.

SECTION 11. The auditor shall keep in his office books in which shall be entered the daily receipts of the treasurer's office, as shown by the duplicate receipts returned to him by the treasurer, and by the statements of money received for taxes and the triplicate warrants mentioned in the preceding section, the amount of the deposits made by the treasurer each day in the depositary, as shown by the daily statements of the depositary to the auditor, and the amount remaining in the treasurer's hands in pursuance of section fourteen, or when the treasurer is custodian of all the money, as shown by the treasurer's daily statements received by him; and in such books the money received by the treasurer from taxes of all kinds shall be shown in an account entitled the "undivided tax account," and all other receipts by him shall be shown in accounts indicating the respective funds to which the money belongs. He shall enter in such books also the amount of all warrants issued by him each day to the treasurer; and the accounts in such books shall be so kept as to show the balance of each fund, the balance of undivided money received for taxes, and the balance of money received from the state treasury, and on account of school lands, each day, in his hands and in the hands of the depositary respectively.

Auditor's certificate to correctness of treasurer's statements.

SECTION 12. Upon the receipt each day by the auditor of the sworn statement provided for in section ten, he shall certify thereon to its correctness, if, upon comparison with his books, it be found to be correct, and shall file such statement in his office; but if any such statement be found by the auditor at any time to be incorrect, he shall forthwith give notice thereof to the treasurer, and unless the discrepancy be immediately discovered and corrected, he shall notify the commissioners thereof without delay.

Discrepancies.

Payments to treasurer of state, how made.

SECTION 13. Except as provided in sections eight and fourteen, the treasurer shall not pay out any money otherwise than by check on the depositary, as provided in section nine. But before he issues a check in payment of any draft made upon him by the auditor of state in favor of the treasurer of state, he shall exhibit such draft to the county auditor, and file with him a certified copy thereof, and the auditor shall thereupon issue his warrant authorizing the treasurer to issue his check for the amount specified in the draft; and before he remits to the treasurer of state any money on account of school lands, he shall notify the auditor, in writing, of his readiness to do so, and of the amount, and the auditor shall file such notice, and issue his warrant authorizing the treasurer to draw his check upon the depositary for the amount; but if the money for such payments be in the custody of the treasurer instead of a depositary, the same proceedings shall be had, except that the warrants of the auditor shall authorize the payments otherwise than by such checks.

Payment by treasurer of fees of jurors and witnesses; of allowances to indigent soldiers.

SECTION 14. The treasurer shall pay in cash warrants issued by the auditor for the payment of fees of jurors and witnesses, and also warrants so issued payable from the soldiers' relief fund, and he may retain in his hands from day to day a sufficient amount of the receipts of his office to enable him to do so, but the balance of money so withheld from deposit shall at no time be in excess of five thousand dollars; and warrants issued for the purposes aforesaid shall not be in duplicate; but if at any time the money so retained by the traasurer is entirely paid out, and the current receipts of his office are insufficient to pay such warrants, the auditor, if so authorized by the commissioners, shall issue his warrant to the treasurer authorizing him to draw his check upon the depositary for the amount specified therein, which shall not be in excess of five thousand dollars, to pay such warrants.

Auditor's monthly statement to commissioners.

SECTION 15. On the first business day of each month the auditor shall prepare, and submit to the commissioners, a sworn statement of the finances of the county for the preceding month, which shall show the amount of money received to the credit of each fund and account, the amount disbursed from each, and the balance remaining to the credit of each, and also the balance of money in the depositary, the balance in the treasury in pursuance of section fourteen, and, if the money of the county be in the custody of the treasurer instead of a depositary, the total balance thereof in the treasury; and the commissioners shall place such statement on file, and forthwith post a duly certified copy thereof in the auditor's office, to remain so posted at least thirty days for the inspection of the public.

Liability of treasurer as affected by this act.

SECTION 16. Nothing in this act shall be held or considered as in any manner changing or affecting the liability of treasurers of counties covered by its provisions, except that they shall not be held liable for any loss of money deposited by them in depositaries, as provided for herein, while such money is in the custody of such depositaries.

Penalty for violations of this act.

SECTION 17. An officer of any such county who willfully violates any provision of this act, or willfully neglects or refuses to perform any duty thereby imposed upon him, shall, upon conviction thereof in the court of common pleas, be fined in any sum not exceeding ten thousand dollars, for the use of the county, or be imprisoned in the penitentiary not more than ten years nor less than one year, or both, at the discretion of the court.

Statutory provisions conflicting herewith superseded hereby.

SECTION 18. Any provision of the statutes of this state in force when this act takes effect, which conflicts with any provision of this act, shall be held to be superseded by the latter, as to the matter of inconsistency, and not otherwise, in counties to which this act relates.

Taking effect.

SECTION 19. This act shall take effect on the first day of October, one thousand eight hundred and eighty-eight.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 730.]

AN ACT

To amend section 1042 of the Revised Statutes of the state of Ohio, as amended May 19, 1886.

Delivery to treasurer of duplicate by county auditor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1042 of the Revised Statutes, as amended May 19, 1886 (O. L. vol. 83, p. 234), be amended so as to read as follows:

Cuyahoga county.

SEC. 1042. The auditor shall annually, on or before the first day of October, except in counties having cities of the second grade of the first class when the time shall be on or before the first day of November, deliver to the county treasurer a true copy or duplicate of the book containing the tax list required to be made by him for the year. In counties having a city of the third grade of the first class, it shall be the duty of the outgoing auditor to place upon the auditor's tax list and the treasurer's copy thereof the owners' names, descriptions, valuations and all general taxes; and it shall be the duty of the incoming auditor to do all further work necessary to complete said books. The outgoing auditor shall not do any work on the special duplicates required to be made under the act passed February 26, 1880, entitled "an act to facilitate the collection of forfeited and delinquent taxes in Lucas county," and under the provisions of section 4846 of the Revised Statutes, but it shall be the duty of the incoming auditor to make out all of such special duplicates.

Duties of incoming and outgoing auditors of Lucas county.

SECTION 2. That section 1042 of the Revised Statutes of Ohio, as amended May 19, 1886 (O. L. vol. 83, p. 234), is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 784].

AN ACT

To create a depositary commission in all cities of the third grade of the first class, and to establish a depositary for the funds of such cities, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the money belonging to each city of [the] third grade of the first class, shall be deposited by the treasurer of the city, as hereinafter provided, in a bank situated within the boundaries of the city, and duly incorporated under the laws of this state or of the United States, to be designated, in the manner hereinafter provided, as the depositary for such money, by a commission composed of the mayor, the president of the board of councilmen, and the city solicitor of the city, and their successors in office, and to be known as the depositary commission.

Toledo: depositary for public funds.

Depositary commission.

SECTION 2. That the officers designated in the preceding section as constituting such depositary commission shall serve as members thereof, and without compensation; but the commission shall be provided with necessary books and stationery, at the expense of the city; and the mayor shall be president, and the president of the board of councilmen shall be secretary of the commission. The commission shall hold meetings on the first business day of each month, and whenever called to meet by the president for a special purpose, at the office of the mayor of the city, and shall keep a record of its proceedings, and file all official paper[s] received by it, which record and papers shall be open to public inspection at any session of the commission; and a transcript of any entry in such record, or a copy of any such paper, duly certified as such by the president and secretary, shall be received as evidence in any of the courts in this state.

Their expenses; organization; meetings; records and papers.

SECTION 3. That upon the taking effect of this act, and thereafter biennially, such commission shall publish, in two daily newspapers printed and of general circulation in the city, on the second day of the week, for two consecutive weeks, a notice which shall invite sealed proposals from all banks coming within the provisions of section one, which proposals shall stipulate the rate of interest they will pay respectively for the use of the money aforesaid; and such proposal shall contain the names of the sureties who will be offered upon the undertaking of the bank filing the same, in case its proposal be accepted.

Advertisement for proposals from banks for the use of the public moneys.

SECTION 4. That on the Monday following the last publication of such notice, at the hour of twelve o'clock noon, the commission shall, in open session, open such sealed proposals, and shall award the use of such money to the bank offering the highest rate of interest therefor; but if two or more banks offer the same highest rate of interest therefor, the use of the money may be awarded to either of them, or the commission

Opening of proposals; award; rejection of proposals and readvertisement.

may reject all proposals and advertise for others in the manner aforesaid.

Undertaking, etc., required of depositary.

SECTION 5. That no such award shall be binding until there is executed by the bank, and accepted by the commission, a good and sufficient undertaking, payable to the city, in a sum not less than four hundred thousand dollars, to be recovered in the name of the depositary commission, for the use of the city, and until bonds have been hypothecated as provided for in section eight. Such undertaking shall be signed by at least six resident free-holders of the city as sureties, to the satisfaction of the commission, and conditioned for the receipt, safe-keeping, and payment over, as provided herein, of all money which may come into the custody of the bank under and by virtue of this act, and under and by virtue of its proposal and the award of the commission, together with the interest thereon at the rate specified in the proposal; and it shall be further conditioned for the faithful performance by the bank of all the duties imposed by this act upon the depositary of such money.

The same to be submitted to and approved by counsel.

SECTION 6. That the undertaking provided for above shall not be accepted by the commission until it has been submitted to the counsel of the city, and certified by him to be in due and legal form, and conformable to the provisions of this act, which certificate shall be indorsed thereon; and if the bank to which an award is made as aforesaid fail to execute the undertaking and hypothecate the bonds as required hereby, to the acceptance of the commission, within three days after the award is made, the commission may award the use of the money to any other bank, the written proposal of which offers the same rate of interest therefor as is designated in the proposal of such defaulting bank; but if the proposal of no other bank offers the same rate of interest as aforesaid, the commission may award the use of the money to any bank the written proposal of which offers the next highest rate of interest therefor; or the commission may, in case of default as aforesaid, reject any or all bids, and advertise for others in the manner aforesaid; and in case of an award after such default, the bank to which the award is made shall execute an undertaking as aforesaid, to the acceptance of the commission, and hypothecate bonds as provided for in section eight.

Failure to execute same.

New award.

Rejection of bids; re-advertisement.

When bank becomes depositary.

SECTION 7. That the bank to which an award is made shall, upon the acceptance of such undertaking and bonds by the commission, become the depositary of the money aforesaid until the undertaking of its successor is accepted by the commission; but the commission may require additional security from the bank at any time it deems the same necessary, in such sum as it shall designate; and if the bank refuse or neglect, for the period of five days thereafter, to give such additional security, the removal of the money therefrom forthwith may be ordered by the commission, and another bank designated to be the depositary thereof temporarily, at such rate of interest, or without interest, as the commission

Removal of moneys; temporary depositary.

may determine. The order for such removal, or for any removal under the provisions of this act, shall be entered in the record of proceedings of the commission; and a copy thereof, duly certified as such by the president and secretary of the commission, shall be transmitted to the city auditor, who shall issue his warrant for the withdrawal of the money of the city from the depositary, and thereupon the city treasurer shall issue a check accordingly for the removal. If the money, in case of such removal, be deposited in a bank designated as a depositary temporarily, such bank shall, before the receipt by it of any of the money, enter into an undertaking and hypothecate bonds as required by this act; but if no bank be so designated the money shall be disposed of as provided in section nine.

Acceptance of interest-bearing bonds in lieu of the undertaking aforesaid.

SECTION 8. That the commission may, in lieu of the undertaking provided for by preceding sections, accept as security, for money deposited as aforesaid, interest-bearing bonds of the city or of the county within which the depositary is located, the face value of which shall not be less than two-thirds of the sum specified in section five as the amount to be named in the undertaking in lieu of which such bonds are accepted; and as additional security for money deposited under the provisions of this act, the bank to which the award is made shall be required, before any of said money is deposited, to hypothecate to the city, bonds of the city or county as aforesaid, to the extent of one-third of the amount of the undertaking provided for by section five. The hypothecation of such bonds shall be by indorsement of the fact and purpose on the back of each, which indorsement shall stipulate that the bond shall be the property of the city in the event of any default on the part of the bank in its capacity as depositary as aforesaid, and that its negotiation or release by the commission shall require the signature of each member thereof. The commission shall make ample provision for the safe-keeping of such hypothecated bonds; and the interest thereon, when paid, shall be turned over to the bank so long as it is not in default as aforesaid.

As additional security.

Indorsement.

Their safe-keeping; interest thereon.

Custody of such moneys when a depositary cannot be secured.

SECTION 9. That if at any time, for any cause, the commission be unable to secure a depositary as provided by preceding sections, the money shall remain in the custody of the treasurer aforesaid, if in his custody at the time, and if in a depositary, and its removal be ordered, it shall be transferred to such treasurer, in the manner provided in section seven for removals, and in either case such treasurer shall be custodian as aforesaid, until such time as a depositary is secured in accordance with the provisions of this act; and while he remains such custodian the money shall be paid out by him on warrants of the city auditor, which in such case shall not be in duplicate; but he shall keep such books, and make such statements of receipts and payments, as are required by this act when the money is in the custody of a depositary, except that such books and statements shall show that the money is

Disbursements by treasurer; his books and statements.

in his custody instead of being in the custody of a depositary.

Duty of officers, etc., to deposit public moneys with city treasurer.

SECTION 10. That it shall be the duty of every board, (except the board of trustees of the sinking fund,) officer, agent, and employe of each city of the grade and class aforesaid, having money in their hands belonging to the city, to deposit such money with the city treasurer upon the taking effect of this act; and thereafter such boards, (except the board of cemetery trustees and the board of work-house directors,) officers, agents, and employes, as receive money on account of the city, shall deposit with such treasurer daily all money so received by them; but the board of cemetery trustees and the board of work-house directors shall make such deposits weekly.

Deposits by treasurer in the depositary.

SECTION 11. That the treasurer aforesaid shall, upon the receipt of a written notice, signed by the president and secretary of the commission, stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected, deposit in such depositary all the money in his custody belonging to the city, and thereafter he shall, at the close of each business day, deposit therein his total receipts for the day. All money so deposited shall bear interest at the rate specified in the proposal of the bank selected as depositary, to be computed on daily balances; and on the thirtieth day of June and the thirty-first day of December each year, and at any time the accounts are closed, the depositary shall place such interest on the money of the city to the credit of the city, and, in writing, notify the city auditor of the amount so credited to the city, which he shall credit to the interest fund of the city,

How interest on such deposits shall be computed and credited.

Depositary's daily notice to auditor.

SECTION 12. That the depositary shall, in writing, notify the city auditor, before noon of each business day, of the amount of deposits to the credit of the city made by the city treasurer the preceding business day; and the depositary shall pay out money deposited under the provisions of this act only on the checks of the city treasurer, and no such check shall be valid or payable unless it have partly printed and partly written, on the same paper therewith, a duplicate of the warrant of the city auditor, authorizing the payment of the sum specified in the check. All such warrants and orders shall be drawn and signed in duplicate, one of which shall have printed upon its face the word "original," and shall be filed and kept in the office of the treasurer to whom it is issued, and the other shall have printed upon its face the word "duplicate," and shall be and remain unsevered from the check of the treasurer.

Treasurer's checks; auditor's warrants.

Daily statements by treasurer to auditor.

SECTION 13. That before noon of each business day the city treasurer shall make to the city auditor a sworn statement, showing for the preceding business day the total amount of money received by him, the total amount deposited in the depositary, the total amount of checks issued on the depositary, and the balance in the depositary; and he shall keep such books as shall enable him to made such state-

ments. All money paid to the city treasurer shall be paid upon the order or draft of the city auditor, and receipts given therefor shall be in duplicate, one of which shall have printed upon its face the word "original," and the other the word "duplicate." The duplicates of receipts shall be filed with the city auditor, and each duplicate shall be so filed on the day of its date; and each receipt and duplicate shall state the amount received, from whom received, and to what fund or funds the same is to be applied.

Moneys how paid to city treasurer

SECTION 14. That the monthly pay-rolls of the departments of the city shall be paid in cash; and to provide money for such payments the city auditor shall issue his warrants authorizing the issuance of checks upon the depositary for amounts, to be stated in the warrants, sufficient to meet such demands; but all other warrants and checks shall be drawn in favor of the persons to whom the amounts specified therein respectively are due, or in favor of their assigns.

Payment of certain pay-rolls in cash.

SECTION 15. That the city auditor shall keep in his office books in which shall be entered the receipts of the city treasurer's office daily to the credit of the city, as shown by the duplicate receipts returned to him by the treasurer, the amount of deposits by the treasurer daily with the depositary to the credit of the city, as shown by the statements of the depositary, the daily aggregate amount of all warrants issued by him, and the balance at the close of each business day to the credit of the city in the hands of the depositary. And upon receipt by him of the sworn statements provided for by section thirteen, he shall certify thereon to the correctness of the same, if, upon comparison with his books, they be found to be correct, and shall file such statements in his office. If any such sworn statement be found incorrect, he shall forthwith give notice of such fact to the treasurer, and unless the discrepancy be discovered and corrected immediately he shall forthwith notify the depositary commission thereof.

Books of the auditor showing treasurer's receipts, deposits, etc.

Correct statements to be by him certified.

Discrepancies.

SECTION 16. That the city auditor shall keep in his office books which shall show the balance daily to the credit of each fund of which he keeps an account, and shall issue no warrant payable from any such fund unless there is money belonging thereto for the payment of the warrant in full; and on the first business day of each month he shall prepare and submit to the depositary commission, a sworn statement for the preceding month showing the total amount of money received into and paid out of each fund of which he keeps accounts, the balance to the credit of each, and also the total balance of money to the credit of the city and in the custody of the depositary, which statements shall be placed on file by the commission, and a copy of the statement made by the city auditor, duly certified as such by the commission, shall be transmitted to the board of councilmen of the city, which shall be read in open session at the next meeting of the board

Auditor's books showing balances; monthly statement to depositary commission.

Copy to be transmitted to council.

Duty of depositary and the commission as to treasurer's checks.

to which it is transmitted. On the day aforesaid some officer of the bank acting as the city depositary shall file with the depositary commission all checks of the city treasurer paid and redeemed by the bank during the previous month, and the commission shall compare such checks with the records of the auditor's office, and if they be found to correspond the commission shall give the bank a receipt for the same, and shall forthwith cancel and file such checks in the office of the auditor.

When the auditor shall issue warranta.

SECTION 17. That upon the passage by the common council of any city of the grade and class aforesaid, of an ordinance, duly approved, providing for the payment of obligations of the city, the city auditor shall issue his warrants, subject to the provisions of sections fourteen and sixteen, for the payment of such obligations respectively; and he shall also, subject to the provisions of said sections, issue his warrant for the payment of any claim that shall be duly certified to him, in writing, as correct, and legally due the claimant, by any board of the city authorized by law to incur obligations to be paid without the sanction of the common council, and such certified claims shall be duly filed and preserved by the auditor in his office, and shall be his vouchers for the issuance of his warrants for their payment.

Liability of treasurer as affected by this act.

SECTION 18. That nothing in this act shall be held or considered as in any manner changing or affecting the liability of the treasurer of the city; provided, such treasurers shall not be held liable for the loss of any money deposited as aforesaid while it is in the custody of the depositary.

Statutory provisions conflicting herewith superseded hereby.

SECTION 19. That any provision of the statutes of this state in force when this act takes effect, which conflicts with any provision of this act, shall be held to be superseded by the latter, as to the matter of inconsistency, and not otherwise, as to cities aforesaid.

Penalty for violations of this act.

SECTION 20. That an officer, agent, or employe of any such city, who willfully violates any provision of this act, or willfully neglects or refuses to perform any duty imposed upon him by this act, shall, upon conviction thereof, be fined in any sum not exceeding ten thousand dollars, for the use of the city, or be imprisoned in the penitentiary not more than ten years nor less than one year, or both, at the discretion of the court.

Taking effect.

SECTION 21. That this act shall take effect on the first day of August, one thousand eight hundred and eighty-eight.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 738].

AN ACT

To require the county commissioners in counties containing a city of the third grade of the first class to provide a depositary for the public money, and for other purposes.

Designation of a bank as a depositary for Lucas county funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in each county containing a city of the third grade of the first class, it shall be the duty of the county commissioners to designate, in the manner hereinafter provided, a bank situated in the county, and duly incorporated under the laws of this state or of the United States, as a depositary of the money of the county.

Advertising for proposals from banks to act as such.

SECTION 2. The commissioners shall, on the taking effect of this act, and thereafter biennially, publish, in two daily newspapers published and of general circulation in the county, on the second day of the week for two consecutive weeks, a notice which shall invite sealed proposals from all banks coming within the provisions of the preceding section, which proposals shall stipulate the rate of interest, not less than two per centum, that will be paid for the use of the money of the county as provided herein; and each proposal shall contain the names of the sureties who will be offered upon the undertaking of the bank filing the same in case the proposal be accepted.

Opening of proposals; award; rejection; re-advertising.

SECTION 3. On the Monday next following the last insertion of such notice, at the hour of twelve o'clock noon, the commissioners shall, in open session, open such sealed proposals, and shall award the use of the money of the county to the bank that offers the highest rate of interest therefor; and if two or more banks offer the same highest rate of interest, the use of the money may be awarded to either of them, or the commissioners may reject all proposals and advertise for others in the manner aforesaid.

Undertaking required of the depositary.

SECTION 4. No such award shall be binding on any such county, nor shall any of the money of the county be deposited thereunder, until the hypothecation of the bonds provided for in section seven, and until there is executed by the bank selected, and accepted by the commissioners, a good and sufficient undertaking, payable to the county, and to be recovered in the name of the county commissioners for the use of the county, in such sum as the commissioners shall direct, which shall not be less than six hundred thousand dollars, and such undertaking shall be signed by at least six resident free-holders as sureties, to the satisfaction o the commissioners, and conditioned for the receipt, safe-keeping, and payment over, as provided herein, of all money which may come into its custody under and by virtue of this act, and under and by virtue of its proposal and the award of the commissioners, together with the interest thereon at the rate specified in the proposal; and the undertaking shall be further conditioned for the faithful performance by the bank of all the duties im-

posed by this act upon the depositary of the money of the county.

Same to be approved by prosecuting-attorney.

SECTION 5. Such undertaking shall not be accepted by the commissioners until it has been submitted to the prosecuting-attorney, and certified by him to be in due and legal form, and conformable to the provisions of this act, which certificate shall be indorsed thereon; and if any bank to which an award is made as aforesaid, fail to execute an undertaking as required hereby, to the acceptance of the commissioners, and fail to hypothecate the bonds as provided in section seven, within three days from the time the award is made, the commissioners may award the use of the money to any other bank whose written proposal offers the same rate of interest therefor as designated in the proposal of such defaulting bank, but if the written proposal of no other bank offers the same rate of interest they may award such use to any bank whose written proposal offers the next highest rate of interest therefor, the undertaking and hypothecation required to be executed in either case; or the commissioners may, in case of default as aforesaid, reject any or all bids and advertise for others in the manner aforesaid.

Failure to execute same.

New award.

Rejection of all bids and re-advertising.

When bank receiving the award becomes the depositary aforesaid.

SECTION 6. The bank to which an award is made shall, upon the acceptance by the commissioners of the undertaking, and upon the hypothecation of the bonds as provided for herein, become the depositary of the money of the county, and remain such until the undertaking of its successor is accepted by the commissioners; but the commissioners may, at any time they deem the same necessary, require additional security from the bank, in such sum as they shall designate; and if the bank refuse or neglect, for the period of five days thereafter, to give such additional security, they may order the removal of the county's deposits therefrom forthwith, and may designate some other bank to be the depositary thereof temporarily, at such rate of interest, or without interest, as they may determine. Such removal, and all other removals under the provisions of this act, shall be made upon the written order of the commissioners; and the county auditor shall, upon the receipt of such order, issue his warrant, and the county treasurer his check, for the removal. If the money, in case of such removal, be deposited in a bank designated as a depositary temporarily, such bank shall, before the receipt by it of any such money, enter into an undertaking and hypothecate the bonds as required by this act; but if no bank be so designated the money shall be disposed of as provided in section eight.

Additional undertaking.

Removal of deposits; temporary depositary.

Hypothecation of interest-bearing bonds in lieu of such undertakings.

SECTION 7. The commissioners of any such county may, in lieu of the undertaking provided for by preceding sections, accept as security for money deposited as aforesaid interest-bearing bonds of the county, or of the city in which the depositary is located, the face value of which shall not be less than two-thirds of the sum specified in section four as the amount to be named in the undertaking in lieu of which

such bonds are accepted; and as additional security for money deposited under the provisions of this act, the bank to which the award is made shall be required before any of said money is deposited, to hypothecate to the county bonds of the county or city as aforesaid, to the extent of one-third of the amount of the undertaking provided for by section four. The hypothecation of such bonds shall be by indorsement of the fact and purpose on the back of each, which indorsement shall stipulate that the bond shall be the property of the county in case of any default on the part of the bank in its capacity as depositary as aforesaid, and that its negotiation or release by the commissioners shall require the signature of each member of the board. The commissioners shall make ample provision for the safe-keeping of such hypothecated bonds; and the interest thereon, when paid, shall be turned over to the bank so long as it is not in default as aforesaid.

As additional security.

Indorsement.

Safe-keeping thereof; interest thereon.

SECTION 8. If at any time, for any cause, the commissioners be unable to secure a depositary as provided by preceding sections, the money of the county shall remain in the custody of the county treasurer, if in his custody at the time, and if in a depositary, and its removal be ordered, it shall be removed to the county treasury, in the manner provided in section six for removals, and in either case the treasurer shall be the custodian thereof until such time as a depositary is secured in accordance with the provisions of this act; and while he remains such custodian the money shall be paid out by him on warrants of the auditor, which in such case shall not be in duplicate; and during such time he shall keep such books, and make to the auditor such statements of receipts and payments, as are required in case the money of the county is in the custody of a depositary designated by the commissioners, except that they shall show that such money is in the custody of the treasurer instead of such depositary.

Deposit of funds in county treasury with depositary cannot be secured.

Disbursements by treasurer.

His books and statements.

SECTION 9. The treasurer shall, upon the receipt of a written notice from the commissioners stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected as such depositary, deposit, to the credit of the county, all money in his possession, except as provided in section fourteen, in the bank constituted the depositary as aforesaid, and thereafter he shall, before noon of each business day, deposit in such depositary all money received by him the preceding business day, except as provided in section fourteen; and such money shall be payable only on the check of the treasurer, which check shall not be valid or payable unless it have partly printed and partly written, on the same paper therewith, a duplicate of the warrant of the county auditor authorizing the payment of the sum for which the check is drawn. All warrants issued by the auditor upon the treasurer for the payment of money (except as provided in section fourteen, and also when the money of the county is in the custody of the treasurer), shall be drawn and signed in duplicate, one of which shall have printed upon its

Deposits by treasurer in the depositary.

Money how disbursed from depositary; treasurer's checks; auditor's warrants.

face the word "original," which shall be filed and kept by the treasurer in his office, and the other of which shall have printed upon its face the word "duplicate," and shall be and remain unsevered from the check of the treasurer. The auditor shall issue no warrant payable from any fund unless there is money belonging thereto for the payment thereof in full, notwithstanding the provision of section eleven hundred and eight of the Revised Statutes; but when any fund is exhausted, and the commissioners are satisfied that, of the undivided money on hand received on account of taxes, the portion thereof that will belong to such fund upon the next semi-annual distribution of such money is in amount such that a part of it may judiciously be assigned to such exhausted fund in advance of such distribution, they may make an order directing such assignment, and the auditor shall notify the treasurer thereof in writing. All money deposited with the depositary shall bear interest at the rate specified in the proposal on which the award to it was made, to be computed on daily balances, and such interest shall be placed to the credit of the county on the first day of March and the first day of September each year, or at any time when the account may be closed. The depositary shall notify the auditor, in writing, before noon of each business day, of the amount of deposits made by the treasurer for the preceding business day, and when the interest is credited to the county the depositary shall notify the auditor and treasurer, in writing, of the amount thereof, before noon of the next business day, and all such interest shall be credited to the general fund of the county.

Warrant not to be drawn, unless, etc.

Assignment of undivided moneys to exhausted funds.

How interest on money in depositary shall be computed and credited.

Depositary's notices to treasurer and auditor.

SECTION 10. Each business day the treasurer shall make to the auditor a sworn statement, showing for the preceding business day the total amount of money received by him, the total amount deposited in the depositary, the total amount paid by check on the depositary, the total amount paid out in cash, the balance in the depositary, and the balance in the treasury; and he shall keep such accounts, in books to be provided for that purpose, as shall enable him to make such statements. All money paid to the treasurer, except for taxes and except also money received from the state treasury, shall be upon the order of the auditor, and the treasurer shall give receipts therefor, each of which shall be made and signed in duplicate, one of which shall have printed across its face the word "original," and the other the word "duplicate," and each duplicate shall be filed with the auditor on the day of its date; and each such receipt shall show the amount received, from whom received, and on what account, and shall state the fund to which the money is to be applied; provided, that in case of money received by the treasurer from the state treasury, the triplicate warrant required by section ten hundred and eighty-five of the Revised Statutes, to be transmitted to the auditor by the auditor of state, shall take the place of the duplicate receipt above provided for, and the treasurer shall not give receipts for taxes in duplicate, but in lieu thereof shall, at the close of each business day, file with the auditor a

Treasurer's daily statement to auditor.

Accounts.

Moneys how paid to treasurer; receipts.

Moneys received by treasurer from state treasury.

His daily tax statements.

statement of the amount of money received by him for taxes and penalties during the day.

Books which the auditor shall keep.

SECTION 11. The auditor shall keep in his office books in which shall be entered the daily receipts of the treasurer's office, as shown by the duplicate receipts returned to him by the treasurer, and by the statements of money received for taxes and the triplicate warrants mentioned in the preceding section, the amount of the deposits made by the treasurer each day in the depositary, as shown by the daily statements of the depositary to the auditor, and the amount remaining in the treasurer's hands in pursuance of section fourteen, or when the treasurer is custodian of all the money, as shown by the treasurer's daily statements received by him; and in such books the money received by the treasurer from taxes of all kinds shall be shown in an account entitled the "undivided tax account," and all other receipts by him shall be shown in accounts indicating the respective funds to which the money belongs. He shall enter in such books also the amount of warrants issued by him each day to the treasurer; and the accounts in such books shall be so kept as to show the balance of each fund, the balance of undivided money received for taxes, and the balance of the money received from the state treasury, and on account of school lands, each day, in his hands and in the hands of the depositary respectively.

Auditor's certificate to correctness of treasurer's statement.

SECTION 12. Upon the receipt each day by the auditor of the sworn statement provided for in section ten, he shall certify thereon to its correctness, if, upon comparison with his books, it be found to be correct, and shall file such statement in his office; but if any such statement be found by the auditor at any time to be incorrect, he shall forthwith give notice thereof to the treasurer, and unless the discrepancy be immediately discovered and corrected, he shall notify the commissioners thereof without delay.

Discrepancies.

Notice to commissioners.

Payments to treasurer of state, how made.

SECTION 13. Except as provided in sections eight and fourteen, the treasurer shall not pay out any money otherwise than by check on the depositary, as provided in section nine. But before he issues a check in payment of any draft made upon him by the auditor of state in favor of the treasurer of state, he shall exhibit such draft to the county auditor, and file with him a certified copy thereof, and the auditor shall thereupon issue his warrant authorizing the treasurer to issue his check for the amount specified in the draft; and before he remits to the treasurer of state any money on account of school lands, he shall notify the auditor in writing of his readiness to do so, and of the amount, and the auditor shall file such notice, and issue his warrant authorizing the treasurer to draw his check upon the depositary for the amount; but if the money for such payments be in the custody of the treasurer instead of a depositary, the same proceedings shall be had, except that the warrants of the auditor shall authorize the payments otherwise than by such checks.

Payment by treasurer of fees of jurors and witnesses; of allowances for relief of indigent soldiers, etc.

SECTION 14. The treasurer shall pay in cash warrants issued by the auditor for the payment of fees of jurors and witnesses, and also warrants so issued payable from the soldiers' relief fund, and he may retain in his hands from day to day a sufficient amount of the receipts of his office to enable him to do so, but the balance of money so withheld from deposit shall at no time be in excess of five thousand dollars; and warrants issued for the purposes aforesaid shall not be in duplicate; but if at any time the money so retained by the treasurer is entirely paid out, and the current receipts of his office are insufficient to pay such warrants, the auditor, if so authorized by the commissioners, shall issue his warrant to the treasurer, authorizing him to draw his check upon the depositary for the amount specified therein, which shall not be in excess of five thousand dollars, to pay such warrants.

Auditor's monthly statement to commissioners.

SECTION 15. On the first business day of each month the auditor shall prepare and submit to the commissioners a sworn statement of the finances of the county for the preceding month, which shall show the amount of money received to the credit of each fund and account, the amount disbursed from each, and the balance remaining to the credit of each, and also to the balance of money in the depositary, the balance in the treasury in pursuance of section fourteen, and, if the money of the county be in the custody of the treasurer instead of a depositary, the total balance thereof in the treasury as shown by the reports filed with him; and the commissioners shall place such statement on file, and forthwith post a duly certified copy thereof in the auditor's office, to remain so posted at least thirty days for the inspection of the public.

Duty of commissioners.

Duty of depositary, commissioners and auditor as to treasurer's checks.

On the day aforesaid some officer of the bank acting as the county depositary shall file with the county commissioners all checks of the county treasurer paid and redeemed by the bank during the previous month; and the commissioners shall compare such checks with the records of the auditor's office, and if they find the same to correspond therewith they shall give the bank a receipt for the same, and shall forthwith cancel and file such checks in the office of the county auditor, who shall receipt to the county treasurer for the same as is provided in section one thousand one hundred and eleven of the Revised Statutes.

Liability of treasurer as affected hereby.

SECTION 16. Nothing in this act shall be held or considered as in any manner changing or affecting the liability of treasurers of counties covered by its provisions, except that they shall not be held liable for any loss of money deposited by them in depositaries as provided for herein while such money is in the custody of such depositaries.

Penalty for violation of this act.

SECTION 17. An officer of any such county who willfully violates any provision of this act, or willfully neglects or refuses to perform any duty thereby imposed upon him, shall, upon conviction thereof in the court of common pleas, be fined in any sum not exceeding ten thousand dollars, for the use of the county, or be imprisoned in the penitentiary not

more than ten years nor less than one year, or both, at the discretion of the court.

SECTION 18. Any provision of the statutes of this state in force when this act takes effect, which conflicts with any provision of this act, shall be held to be superseded by the latter, as to the matter of inconsistency, and not otherwise, in counties to which this act relates. Statutory provisions conflicting herewith superseded hereby.

SECTION 19. This act shall take effect on the first day of August, one thousand eight hundred and eighty-eight. Taking effect.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No 691].

MR. OUTCALT

Amending section 1774 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1774 of the Revised Statutes of Ohio be amended so as to read as follows:

SEC. 1774. The solicitor shall, whenever required so to do by resolution of the council, or of the council or board of public affairs in cities of the first grade of the first class, prosecute or defend, as the case may be, for and in behalf of the corporation, all complaints, suits, and controversies in which the corporation is a party, except cases before the police court where there is a prosecuting attorney for such court, and such other suits, matters, and controversies as he shall, by resolution or ordinance, be directed to prosecute; but he shall not be required to prosecute any action before the mayor for the violation of any ordinance without first advising such action. Duties of city solicitor as to suits.

SECTION 2. Said original section 1774 is hereby repealed, and this act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[Senate Bill No. 280].

AN ACT

To authorize councils of cities of the first grade of the second class to issue bonds for water-works purpose[s].

Issue of Columbus water-works bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class, wherein water-works have been constructed, be and they are hereby authorized and empowered, upon the application of the board of trustees of such water-works, for the purpose of laying water pipes in streets proposed to be permanently improved, extending pipe lines, enlarging mains already laid and constructing additional mains and pipes lines, to issue, from time to time, the bonds of such city, for any sum not exceeding in the aggregate one hundred and fifty thousand dollars ($150,000), running for such length of time as such council may determine, not exceeding thirty years, and bearing such rate of interest as may be determined by such council, not exceeding six (6) per centum per annum, payable annually or semi-annually, and of such denominations as to such council may seem proper.

Mode of issue and sale; proceeds.

SECTION 2. Such bonds shall be issued and sold in manner as is or may be provided by statute for the issuing and sale of other bonds of such municipal corporation. They shall be designated water-works bonds, and the proceeds of the sales thereof shall be applied exclusively to the purposes for which they are issued.

Payment of principal and interest of such bonds.

SECTION 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act, as they mature, respectively, the city council of such city is hereby authorized and empowered to levy, annually, upon all the taxable property within such city, not to exceed three-tenths of one mill in any one year, upon each dollar valuation thereof, additional in amount to the aggregate rate, and the aggregate of all taxes now or hereafter authorized to be levied or ordered by such municipal corporation; provided, however, that if there shall be any surplus accruing from the water rent of said water-works, over and above the amount necessarily required for operating and conducting the same, such surplus income shall be applied to the payment of the interest on said bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

House Bill No. 687].

AN ACT

To authorize boards of education in cities of the first grade of the second class to establish manual training schools, and to provide for their equipment and maintenance.

Columbus: levy for establishment of manual training schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That boards of education in cities of the first grade of the second class be and they are hereby authorized to make a levy of five-tenths (5-10) of a mill upon each dollar valuation of the taxable property of such cities in addition to the levy authorized for other purposes, the proceeds of such levy to be used for the purpose of purchasing sites for, and erecting manual training schools thereon, such levy to run for the term of five years, at the end of which time a levy of one-fifth (1-5) of one mill annually is hereby authorized for the maintenance of such school.

Issue of bonds.

SECTION 2. That such boards of education are hereby authorized to issue bonds in anticipation of such levy of five-tenths (5-10) of one mill, said bonds to bear interest at not more than five (5) per cent. per annum, payable in five (5) years, and to be sold at not less than their par value.

SECTION 3. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 11].

AN ACT

To amend "an act to secure prompt payment of wages of certain employes twice in each month," passed March 21, 1887 (vol. 84, page 214).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the above recited act be so amended as to read as follows:

Payment of wages of certain employes twice a month.

SEC. 1. That every incorporated manufacturing, mining, mercantile, street-railroad, telegraph, telephone, express, water company, and construction companies, or contractors building railroads, shall pay, in lawful money, or by check, draft or order, payable in lawful money, at sight or on demand, on a bank located at a distance not greater than eight miles from

the place where said labor was performed, twice in each month, each and every employe engaged in its business, the wages earned by such employe to within ten days of the date of said payment; provided, however, that if at any time of payment any employe shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter, during their regular business hours, upon demand; and provided, further, that said employer may retain at each payment, any amount said employe may order withheld from his or her wages for rent, powder, tools, tool sharpening, or oil, due said employer.

Retention of certain amounts.

Penalty for violations of this act; provisos.

SECTION 2. Any corporation mentioned in section 1 of this act, violating any of the provisions of this act, shall be punished by a fine not exceeding one hundred and not less than fifty dollars; provided, complaint for such violation is made within thirty days from the date thereof. Providing, that in pursuance of and under this act there shall not be more than one conviction of the same corporation during any two weeks.

SECTION 3. That the above recited act be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force on and after the first day of July, in the year eighteen hundred and eighty-eight.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 324].

AN ACT

Te further define the duties of executors, administrators with will annexed, and testamentary trustees.

Contest of will:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6019*a*, supplementary to section 6019 of the Revised Statutes of Ohio, passed March 21, 1887, be amended so as to read as follows:

Powers of executors, of administrators with will annexed, or of testamentary trustees pending same.

SEC. 6019*a*. Whenever a will is contested, the executor or the administrator, or administratrix de bonis non, with the will annexed, or the testamentary trustee, shall have power during the contest of said will, to control all the real estate not specifically devised, included in said will, and all the personal estate of said testator, not before said contest duly administered; to collect the debts, and convert all assets into money, except such as may be specifically bequeathed; pay

all taxes on said real and personal property, and all debts according to law; and, whenever necessary to preserve said real property from waste, to repair buildings and other improvements, and insure the same upon an order therefor first obtained from the probate court having jurisdiction of such executor, or administrator, or testamentary trustee, and for such repairs, taxes and insurance, to advance or borrow money on the credit of such estate, which shall be a charge thereon; and shall also have power to receive and receipt for any distributive share of any estate or trust to which such testator would have been entitled, if living. The probate court may require such additional bonds as from time to time may be proper.

Additional bond.

SECTION 2. That said supplemental section 6019*a* is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 715].

AN ACT

Supplementary to "an act to authorize certain cities to build bridges and issue bonds therefor," passed March 24, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to "an act to authorize certain cities to build bridges and issue bonds therefor," passed March 24, 1883 (v. 80, O. L., p. 73):

Toledo:

SEC. 2. That any such city of [the] third grade of the first class is hereby authorized to construct any such bridge or bridges and said approaches thereto, at another place or other places than "across any stream," as restricted in Sec. 1 of the act to which this is supplementary; and for the purpose aforesaid any such city is authorized to issue its bonds for any part not in excess of ten thousand dollars ($10,000), and at not to exceed 4½ per cent. interest, payable semi-annually, of the sum named and authorized in said Sec. 1, not already issued, which bonds for ten thousand dollars ($10,000),

Construction of bridges at places other than across streams.

Issue of bonds.

or any part thereof, shall be reckoned as a part of those authorized by said act, and each and every of the conditions, restrictions and provisions of said Sec. 1, shall apply to matters hereby authorized, except as otherwise herein expressly provided.

SECTION 3 [2?]. That this act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 754].

AN ACT

Fixing the salary of the judge of the court of common pleas of the second judicial district.

Additional salary of Clark county common pleas judge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any judge of the court of common pleas of the second judicial district, who resides in Clark county, shall receive, in addition to the salary payable out of the state treasury, the sum of not more than fifteen hundred ($1,500.00) dollars per annum, to be fixed by the commissioners of said county, and to be paid out of the county treasury, upon the warrant of the county auditor in the same manner and at such times as is provided for the payment of the salary of the said judge out of the state treasury; and when the salary is once fixed by the county commissioners it shall not be increased or diminished during the residue of the term of the office of said judge.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 870].

AN ACT

To amend section 422 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four hundred and twenty-two of the Revised Statutes of Ohio be so amended as to read as follows:

Clerk of the supreme court:

SEC. 422. The clerk shall quarterly report to the supreme court, the total amount of fees received, and shall forthwith pay the same to the treasurer of state; provided, that the clerk may retain the sum of one hundred and twenty-five dollars of said fees each quarter, which shall be in addition to his salary, as provided by section one thousand two hundred and eighty-four.

Quarterly report of fees; amount he may retain.

SECTION 2. That said original section 422 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 520].

AN ACT

To authorize cities of the second grade of the second class to issue water-works improvement bonds for the purpose therein specified, and to apply a certain fund to the purchase of water-works machinery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities of the second grade of the second class, in which water-works may now or hereafter be established, in which it becomes necessary to lay additional mains for the supply of water for such city, it shall be lawful for the city council of such city to issue bonds therefor, entitled "water-works improvement bonds," in the sum of fifty thousand dollars, to be sold according to law; the money arising from the sale of such bonds to be paid into the city treasury of such city, and placed to the credit of the water-works improvement fund, to be expended for the purpose designated in this act and no other. Said bonds shall be of such denomination as the city council of such city may deem best, in

Dayton: issue of water works improvement bonds.

any sum not in excess of the amount heretofore named, and for a length of time not exceeding twenty years, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually; said bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived therefrom, shall be applied to no other purpose than the purpose herein mentioned; said bonds shall be signed by the mayor and clerk of such city, and be sealed with the seal of the corporation.

Tax for redemption of said bonds.

SECTION 2. The council of any such city is hereby authorized to levy an annual tax, not in excess of five-tenths of one mill on the general duplicate of such city, in addition to the other taxes heretofore authorized to be levied or hereafter to be levied, for the redemption of said bonds and the payment of the interest thereon, until the said bonds and the interest thereon are paid and said bonds redeemed as the same may become due.

Purchase of additional machinery with certain funds.

SECTION 3. The council of any such city is hereby authorized and empowered to apply and use, for the purpose of providing additional pumps, pumping machinery, engines or boilers, any fund remaining in the treasury of such city, arising from the sale of bonds authorized to be issued by the act entitled "an act to authorize cities of the second grade of the second class to issue water-works improvement bonds for the purpose therein specified," passed March 12, 1887.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 306].

AN ACT

To amend section 1409 of the Revised Statutes of Ohio, as amended May 4, 1885 (O. L., vol. 82, p. 256.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fourteen hundred and nine of the Revised Statutes of Ohio, as amended May 4, 1885, be amended so as to read as follows:

Collection of rents of school and ministerial lands.

SEC. 1409. All rents arising from any school or ministerial lands, shall be paid by the lessee or lessees to the treasurer, as they become due; and on failure of the payment, or for non-compliance with the conditions of the lease, the treas-

urer shall, when so directed by the trustees, bring a suit in the name of the trustees, before any court having competent jurisdiction; and to the judgment rendered in such action no stay of execution shall be allowed; and on final process, if the goods and chattels cannot be found whereby collection can be made, or if mesne process cannot be served, upon the return of the same, the trustees are therefore [thereupon?] authorized to re-enter upon the lands of the delinquent or delinquents, and to sell at public vendue his or their right and title in said lease or leases, to satisfy such rent, damages and costs; in which case the trustees shall give twenty days' previous notice of the time and place when said lease or leases will be sold, by advertising the same in three public places, or by advertisement inserted in some newspaper published within the county, subjecting the purchaser or purchasers to the conditions contained in the lease or leases of the delinquent or delinquents; and in case the said lease or leases sell for more than the rent, damages and costs, the surplus shall be paid over to the delinquent or delinquents; but where secured notes are taken for payment of such rents, the trustees may order the treasurer to bring suit in their name on such note or notes, on failure of the payment of such rent or rents, when due, according to the terms thereof; and to the judgment or judgments rendered in such action or actions no stay of execution shall be allowed.

SECTION 2. Said original section fourteen hundred and nine, as amended May 4, 1885, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 554.]

AN ACT

To authorize cities of the second grade of the second class to pave certain streets, and to provide for the payment of the cost thereof.

Dayton: paving of certain streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second grade of the second class shall have authority to cause any street or part thereof in such city having a roadway between curbs not exceeding 32 feet in width, upon which a street

railway has been constructed and is in use, to be improved with pavement of Medina stone, granite, asphalt or other material.

Laws governing such improvement.

SECTION 2. Such improvement shall be made in accordance with the provisions of the Revised Statutes relating to street improvements, and all notices and claims for damages caused thereby shall be given and filed as therein provided.

Issue of street paving bonds.

SECTION 3. In order to provide a fund for paying the cost of such improvement, it shall be lawful for such city council to issue bonds of such city, entitled, "street paving bonds," in a sum not exceeding sixty-four thousand dollars, to be sold according to law; said bonds shall be of such denomination as such city council may deem best, in any sum not in excess of the amount above named, and shall be made payable in ten equal annual installments from the date thereof, and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and the proceeds thereof, together with such premiums as may be derived therefrom, shall be applied to no other purpose than the purpose herein mentioned; said bonds shall be signed by the mayor and clerk of such city, and be sealed with the seal of the corporation.

How and by whom such bonds shall be paid.

SECTION 4. One-half of the amount of said bonds, and of the interest thereon, shall be paid by such city, and the council of any such city is hereby authorized to levy an annual tax not in excess of five-tenths of one mill on the general duplicate of such city, in addition to the other taxes heretofore authorized to be levied for the redemption of one-half of said bonds and payment of the interest thereon, until the same are paid, and such payment shall be held to include all other costs of such improvement required to be paid by the corporation, including the cost as to intersections. One-fourth of the amount of such bonds and interest shall be assessed upon the parcels of land bounding or abutting upon the improvement, in the manner provided by law, and such assessments may be made payable in annual installments, not exceeding ten in number, if the city council so provides, and the remaining one-fourth of the amount of such bonds and interest shall be paid for by the street railroad company occupying such street, or part thereof improved; and all moneys received from such assessments and from such street railroad company shall be applied to the payment of the bonds provided for herein; provided, such company shall agree to pay the same; and as a consideration for such agreement, the city council of such city is hereby authorized to extend the time during which such street railroad company shall be authorized to operate its line for a further term of twenty-five years, beginning at the expiration of its present contract with such city, upon such terms and conditions as the council may prescribe.

Payment by street railroad company as consideration for extension of right to operate its lines.

Gas, water and sewer connections.

SECTION 5. Such city council shall have power to provide that all house connections with gas and water mains and with sewers shall be made before such paving shall be begun, and that after such street or part thereof shall have been

paved, as herein provided, such pavement shall not be disturbed for a period of five years.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 26].

AN ACT

To amend section[s] 1 and 2 of an act entitled an "act to prevent the adulteration of vinegar," passed March 21, 1887 (Ohio Laws 84, 216), and to repeal section 3 of said act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1 and 2 of an act entitled "an act to prevent the adulteration of vinegar," passed March 21, 1887, be amended so as to read as follows:

Adulterated vinegar:

SEC. 1. That no person shall manufacture for sale, or knowingly offer or expose for sale as cider, apple, or orchard vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider; or vinegar not made exclusively of said apple cider; or vinegar into which foreign substances, drugs or acids have been introduced as may appear by proper test, and upon said test shall contain not less than two per cent. by weight of cider vinegar solids upon full evaporation over boiling water.

Its manufacture and sale forbidden.

SEC. 2. No person shall manufacture for sale, or knowingly offer for sale, or have in his possession with intent to sell, any vinegar found upon proper test to contain any preparation of lead, copper, sulphuric acid, or other ingredients injurious to health, or containing artificial coloring matter.

Injurious ingredients.

SECTION 2. Sections 1, 2 and 3 of an act passed March 21st, 1887 (O. L. 84, p. 216), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 679].

AN ACT

To amend section 3 of an act passed March 24, 1884 (O. L. 87, p. 74.)

Ohio penitentiary: residing of officials thereat forbidden, except.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act passed March 24, 1884 (O. L. 81, p. 74), be so amended as to read as follows:

Privileges of matrons.

SEC. 3. No member of the board and no officer of the penitentiary, except the warden and his family and matrons, shall become residents of the same, or live therein, and said matrons may receive their provisions therefrom; but the sessions of the board shall be held in the institution in suitable rooms furnished for the purpose.

SECTION 2. That section 3 of an act passed March 24, 1884 (O. L. 81, p. 74,) be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 120].

AN ACT

To amend section 11 of an act entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," passed May 14, 1886 (O. L., vol. 83, p. 157).

Amendment to Dow law:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 11 of an act entitled "an act providing against the evils resulting from the traffic in intoxicating liquors," passed May 14, 1886, be so amended as to read as follows:

Closing of saloons on Sunday.

SEC. 11. That the sale of intoxicating liquors, whether distilled, malt or vinous, on the first day of the week, commonly called Sunday, except by a regular druggist on the written prescription of a regular practicing physician for medical purposes only, is hereby declared to be unlawful, and all places where such intoxicating liquors are on other days sold or exposed for sale, except regular drug stores, shall on that day be closed, and whoever makes any such sale, or

allows any such place to be open or remain open on that day, shall be fined in any sum not exceeding one hundred dollars, and not less than twenty-five dollars, and be imprisoned in the county jail or city prison not less than ten days and not exceeding thirty days. In regular hotels and eating houses, the word "place" herein used shall be held to mean the room or part of room where such liquors are usually sold or exposed for sale, and the keeping of such room or part of room securely closed shall be held, as to such hotels and eating-houses, as a closing of the place within the meaning of this act. And any municipal corporation shall have full power to regulate, restrain and prohibit ale, beer and porter houses, and other places where intoxicating liquors are sold at retail for any purpose or in any quantity other than is provided for in section 8 of this act, as amended March 21, 1887. But if any municipal corporation shall prohibit ale, beer and porter houses, or other places where intoxicating liquors are sold within the limits of such corporation, a ratable proportion of the tax paid by the proprietors thereof for the unexpired portion of the year shall be returned to such proprietors.

Hotels and eating houses.

Municipal regulation.

SECTION 2. That the said section 11 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 610].

AN ACT

To amend section 553 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five hundred and fifty-three (553) of the Revised Statutes, as amended February 15, 1884, be and it is hereby amended so as to read as follows:

SEC. 553. The court of common pleas and circuit court in any county, and the superior court in any city or county, and the probate court in any county containing a city of the first class, and first grade of the second class, may each appoint one or more constables to preserve order and discharge such other duties as the court requires; and each constable,

Court constabels, their duties and compensation.

when so directed by the court, shall have the same power to call and impannel jurors which by law the sheriff of the county has, except in capital cases. The compensation of such constables shall be the same as that of regular jurors, except in counties containing a city of the first grade of the first class, and first grade of the second class, it shall be eight hundred dollars ($800) per annum, and in all cases shall be paid out of the county treasury on the order of the court.

SECTION 2. That amended section 553 be and the same is hereby repealed; and this act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[Senate Bill No. 206].

AN ACT

To amend sections 1 and 2 of an act entitled "an act for the protection and benefit of keepers of stallions in the state of Ohio," passed March 13, 1884 (O. L. 81, p. 143), and amended May 1, 1885 (O. L. 82, p. 207).

Lien of keeper of stallion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the keeper of any stallion shall have a lien upon the get of the same for the period of one year after birth of same for the payment of the service of any such stallion.

How perfected and enforced.

SECTION 2. Such keeper or owner of any stallion, in order to obtain and perfect such lien, shall, within twelve months from the rendition of such service by any stallion, file with the clerk of the township where the person for whose benefit such service has been rendered resides, an affidavit of the amount due such keeper or owner for the said service; provided, however, that when such service is rendered for the benefit of any one who is a resident of the township in which the office of county recorder is kept, or when he is a non-resident of the county or state, such lien shall be filed with the county recorder; and for filing and making any copy of such affidavit, or the certificate of the date of such filing, the recorder or township clerk shall be entitled to the same fees as are provided by law for like services in regard to chattel mortgages.

Penalty for misrepresentation of stallion's pedigree.

And any such keeper or owner of any stallion who misrepresents the pedigree, or fails to publish a correct pedigree of his stallion, when excellency of good qualities are claimed on account thereof, shall, upon proof of such misrepresenta-

tion, forfeit the services in any case when legally contested and proven. Such keeper or owner so obtaining and perfecting said lien may enforce the same by replevin of the property, and after gaining possession of the same he may, after first giving ten days' notice to the original owner thereof of his intention so to do, sell the same at public sale after two weeks' notice of the time and place of said sale, by notices posted up in five conspicuous and public places in the township where said keeper and owner resides, and out of the proceeds of sale retain the amount due him for said service, with the costs by him incurred in said replevin suit, if any be had, accounting to said original owner for the surplus realized by said sale.

SECTION 3. That said sections one and two of an act entitled "an act for the protection and benefit of keepers of stallions in the state of Ohio," passed March 13, 1884, and amended May 1, 1885, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 570.]

AN ACT

Authorizing the commissioners of the sinking fund to borrow money for the purpose of redeeming outstanding bonds, and for making disposition of any money received from the general government for the direct tax, and to provide for the expenses that may be incurred in collecting the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the sinking fund are hereby authorized and empowered to borrow the sum of three hundred thousand dollars ($300,000), at a rate of interest not to exceed three and one-half (3½) per cent. per annum. Said interest to be paid out of the sinking fund on the first day of January and July of each and every year, the sum so borrowed to be payable July 1, 1900.

Sinking fund commissioners authorized to borrow money; interest.

SECTION 2. The money so borrowed shall be placed to the credit of the sinking fund for the purpose of redeeming the bonds of this state falling due July 1, 1888. Loan of 1881.

For what purpose.

Issue of certificates of indebtedness.

SECTION 3. The said commissioners, on behalf of the state, shall issue, for the money so borrowed, certificates of indebtedness, which shall not be disposed of for less than their par value, and which shall be signed by the sinking fund commissioners and attested by the governor. Provided, however, that should there be received from the general government the direct tax due the state of Ohio, there must be placed to the credit of the sinking fund the sum of five hundred thousand ($500,000) dollars, or as much thereof as may be received of that amount. The balance, if any, to be placed to the credit of the general revenue fund. In that event the above named certificates shall not be issued, nor any money borrowed, as provided above.

Disposition of direct tax due from general government, when repaid.

Appropriation to defray expense of collecting such tax.

SECTION 4. For the purpose of defraying the cost and expenses that the state may have incurred, or that the state may hereafter incur, in collecting from the general government the direct tax mentioned in section 3 of this act, there is hereby appropriated out of the general revenue fund not otherwise appropriated, a sum not exceeding two per centum of the amount collected from the general government. Provided, that the amount herein appropriated, or any part thereof, shall not be paid until the money collected from the general government has been paid into the state treasury, and then only upon vouchers approved by the governor. Upon the approval of such vouchers by the governor, it is made the duty of the auditor of state to draw his warrant upon the treasurer of state for the amount thereof.

When and how such appropriation shall be expended.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[Senate Bill No. 172].

AN ACT

To amend section 2329 of the Revised Statutes of Ohio, as amended March 17, 1886.

Sidewalks in municipalities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2329 of the Revised Statutes, as amended March 17, 1886, be so amended as to read as follows:

Notice to owners of abutting property to construct or repair sidewalks.

SEC. 2329. When the council, board of improvements, or board of public works, as the case may be, declares by resolution that certain specified sidewalks shall be constructed or repaired, the mayor, or board of public works where there is such a board, upon being advised thereof, shall cause a written

notice to be given to the owner, or agent of the owner, of each parcel of land abutting on such sidewalk who may be a resident of the city or village, and can be found, [of the passage of such resolution], and shall return a copy of such notice, with the time and manner of service endorsed thereon and signed by the officer serving the same, to the clerk of the corporation, who shall file and preserve the same in his office; and such return shall have the like force and effect as the sheriff's return on a summons in a civil action; provided, that, when it shall come to the knowledge of the city commissioner, or such other officer as the council may by resolution designate, that any dangerous defect exists in any sidewalk the total cost of repairing which to be charged to any one parcel of land shall not exceed five dollars, it shall be sufficient for, and the duty of, such officer to forthwith, in like manner and with like effect, serve and return a notice to the owner of such land, or his agent, stating that if such repair be not made within three days by such owner, the same will be made at his expense, at a reasonable cost to be stated in the notice, and that if said cost be not paid to the clerk of the corporation within fifteen days after such repair is made, the same will be charged against said land as taxes. And if such repair be not made within such three days, such designated officer shall forthwith repair the same and report the fact to the clerk, who shall thereafter certify the sum named in the notice, if not paid within such fifteen days, to the county auditor for taxation. But such sum shall be in each case a reasonable charge for the material furnished and the work performed. And if it appear in the return in any case that such owner is a non-resident, or that neither such owner or agent can be found, then notice may be given by publication in some newspaper of general circulation in the corporation.

Return of copy of notice to clerk.

Notice to repair certain dangerous defects in sidewalks.

Making of such repairs at owner's expense.

Notice to non-residents and persons not found.

SECTION 2. That section 2329, as amended March 17, 1886, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 688].

AN ACT

Supplementary to section 897 of the Revised Statutes, as amended April 8, 1886.

Allowance to Franklin county commissioners for expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section 897 of the Revised Statutes, as amended April 8, 1886:

SEC. 897*b*. In counties which contain a city of the first grade of the second class, each commissioner shall be allowed for expenses incurred by said commissioner, in the proper discharge of his duties within said county, the sum of five hundred dollars ($500) per annum, said sum to be paid out of the county treasury on the warrant of the county auditor.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 360].

AN ACT

To amend section 930, as amended March 3, 1882 (vol. 79, page 28).

Children's homes:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 930, as amended, be amended so as to read as follows:

Appointment of trustees.

SEC. 930. When the necessary site and buildings are provided by the county, the commissioners shall appoint a board of three trustees, not more than two of whom shall be of the same political party, who shall hold their offices as follows: one for one year, one for two years, and one for three years, from the first Monday of March thereafter; and annually, after said board is so constituted, the county commissioners shall, on the first Monday of March, appoint one trustee for said children's home, who shall hold his office for the term of three years, and until his successor is appointed and qualified; and said board of trustees shall designate some suitable person who shall act as superintendent of said home, and who shall also be clerk of said board of trustees; and he shall

Superintendent; his compensation; duties; bond.

receive for his services such compensation as the board of trustees designate at the time of his appointment; and he shall perform all such duties, and give security for the faithful performance of them, as the trustees by law direct. The trustees shall not receive any compensation for their services, and the superintendent shall have the entire charge and control of said home, and the inmates therein, subject to such rules and regulations as shall be prescribed by the trustees; and said trustees may, upon the recommendation of the superintendent, appoint a matron assistant matron, and teachers, whose duties shall be the care of the inmates of said home, to direct their employment, giving suitable physical, mental and moral training to them. The matron shall, under the direction of the superintendent, have the control, general management and supervision of the household duties of said home, and the matron, assistant matron and teachers shall, each, perform such other duties, and receive for their services such compensation, as the trustees by by-laws from time to time direct, and they may be removed at the pleasure of the trustees, or a majority of them. The superintendent may suspend temporarily a matron, assistant matron or teachers, notice of which must be immediately given to the board of trustees, for their approval or disapproval.

Appointment of matrons and teachers.

Superintendent may suspend same.

SECTION 2. That said section 930, as amended, is hereby repealed; and this act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 64.]

AN ACT

To amend section 550, as amended March 19, 1887, of the Revised Statutes,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 550 of the Revised Statutes of Ohio, as amended March 19, 1887, be amended so as to read as follows:

Civil procedure.

SEC. 550. When a judge of the common pleas court is interested in any cause or matter pending before the court in any county of his district, or is related to either or any party to such cause, or is otherwise disqualified to sit in such cause or matter, and there is no other judge in the same sub-divis-

Change of venue in common pleas courts when judge is disqualified to sit.

ion who is not so disqualified, on affidavit of either party to such cause or matter, or his counsel, showing the fact of such interest or disqualification, the clerk of the court shall enter upon the docket of such court an order directing that the papers and all matters belonging to such cause or matter shall be transmitted to the clerk of the common pleas court of an adjoining county of another sub-division, where practicable, of the same district; where not practicable, then to an adjoining county of another district; and where a copy of the docket entry, together with all the files belonging to the cause or matter, is filed with the clerk of the court to whom the same is transmitted, such clerk shall docket the cause or matter, and thereupon the same shall proceed to final judgment or determination, in all respects as though it had been originally commenced in such court.

SECTION 2. That section 550 of the Revised Statutes of Ohio, as amended March 19, 1887, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 273.]

AN ACT

To amend section 6923 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6923 of the Revised Statutes be so amended as to read as follows:

Unlawful deposit of dead animals, offal, etc., into or upon land or water.

SEC. 6923. Whoever puts the carcass of any dead animal, or the offal from any slaughter-house or butcher's establishment, packing-house or fish house, or any spoiled meats, or spoiled fish, or any putrid animal substance, or the contents of any privy vault, upon or into any lake, river, bay, creek, pond, canal, road, street, alley, lot, field, meadow, public ground, market-space, or common, and whoever, being the owner or occupant of any such place, knowingly permits any such thing to remain therein, to the annoyance of any of the citizens of this state, or neglects or refuses to remove or abate the nuisance occasioned thereby within twenty-four hours after knowledge of the existence of such nuisance upon any of the above described premises owned or occupied by him, or after notice thereof in writing from any supervisor, constable, trustee, or health officer of any municipal corporation or

township in which such nuisance exists, shall be fined not more than fifty dollars nor less than one dollar; but the provisions herein before made, shall not prohibit the depositing of the contents of privy vaults and catch basins into trenches or pits not less than three (3) feet deep, excavated in any lot, field or meadow, the owner thereof consenting, outside the limits of any municipal corporation, and not less than thirty (30) rods distant from any dwelling, well or spring of water, lake, bay, pond, canal, river, creek, brook or stream of water, public road or highway; provided, said contents deposited in said trenches or pits are immediately thereafter covered with dry earth to the depth of at least twelve inches; nor shall said provisions prohibit the depositing of said contents into furrows, situated and distant as specified for said trenches or pits; provided, the same are immediately thereafter wholly covered with dry earth by plowing or otherwise; and provided, also, that the owner or occupant of the land in which said furrows are plowed consents and is a party thereto; provided, also, that the board of health of any municipal corporation may allow said contents to be deposited within the corporate limits, into trenches or pits, or furrows, situate, distant and to be covered as aforesaid.

SECTION 2. That said original section 6923 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 413.]

AN ACT

For the relief of Allen G. Winnie, Captain of Company I, 16th Regiment of Infantry, Ohio National Guard.

For the relief of Allen G. Winnie.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of the state of Ohio be and he is hereby authorized and required to issue his warrant on the state treasurer to pay to Allen G. Winnie, captain of company I, 16th regiment of infantry, Ohio national guard, and now living at Clyde, Sandusky county, Ohio, the sum of four hundred dollars ($400), out of any money in the state treasury to the credit of the general revenue fund not otherwise

appropriated; which sum shall be in full liquidation and payment to said Allen G. Winnie for loss through sickness contracted by him in the line of duty as a member of the Ohio national guard, while in annual encampment, as required by law, at Port Clinton, Ohio, in the year 1887.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 395].

AN ACT

To supplement section 3762 of the Revised Statutes of Ohio, (chapter 14), relating to colleges and institutions of learning.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 3762 of the Revised Statutes of Ohio, with sectional numbering, as follows:

Certain colleges, whose articles of incorporation are not on file in the office of the secretary of state, may file same there and amend.

SEC. 3762*a*. The trustees of any university, college or institution of learning, incorporated by the authority of this state, or under the general corporation laws thereof, owned in shares of stock subscribed and paid up in full, by a majority of the owners of such stock, for the sole purpose of promoting education, religion and morality, or the fine arts, exclusively among males or females, may, on the written petition of the owners of a majority of such stock filed before them, or on the vote of the owners of the majority of such shares of paid up stock at any general meeting of the stockholders called for such purpose, after thirty days' notice published in some newspaper published and of general circulation in the county, by the board of trustees, may change the name and enlarge the purposes and objects of any such university, college or institution, by amendments to its charter, approved by the owners of the majority of such stock for the change of the name and the enlargement of the purpose and object of such university, college or institution of learning, so that all the educational rights and privileges thereof may be bestowed in the co-equal and co-ordinate education of both sexes. When such amendment is adopted and the original articles of incorporation of said corporation have not been filed and recorded in the office of the secretary of state, a copy of such amendment and a copy of the original articles of incorporation of said corporation, with a certificate to each of them thereto affixed,

signed by the president and secretary of said corporation, and sealed with the corporate seal, if any there be, stating the fact and date of the adoption of such amendment, and that such copy of said amendment and that such copy of said original articles of incorporation of said corporation are and is a true copy of the originals, shall be recorded in the office of the secretary of state, and when so recorded, and not until then, said amendment shall become and be in law the sole articles of incorporation of said corporation; and all the property, real and personal, and the title thereunto, and all the rights and credits, shares of stock, and rights of stockholders, corporate franchises, and all endowment fund or funds, or gift or bequest, or legacies or mortgage securities and promissory notes, and rights of every kind belonging to, vested in, or claimed, or possessed by the said original corporation, shall, by said amendment, pass to, be assigned and transferred and vested in and held, enjoyed and exercised by the said corporation named, created and organized by said amendment for the promotion of all the objects and purposes of its creation and organization. For recording such amendments and copies of such original articles of incorporation, and for furnishing a certified copy or copies thereof, the secretary of state shall receive a fee of twenty cents per hundred words, to be in no case less than five dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 326].

AN ACT

To amend section 6968 of the Revised Statutes of Ohio, as amended March 21, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6968 be so amended as to read as follows:

SEC. 6968. No person shall draw, set, place or locate any pound net, seine, trap or fish-net, in Lake Erie, from the fifteenth day of June to the tenth day of September, inclusive; nor in Sandusky and Mudcreek bay nor in Maumee bay as far up as the Maumee bridge, from the tenth day of May to the 15th day of October, inclusive. No person shall set or place, or catch fish with a gill net in any of the waters of the state,

Unlawful catching and killing of fish.

Unlawful catching and killing of fish.

except in Lake Erie, and there only in water over thirty feet in depth. No person shall catch fish in Mercer county reservoir between the first day of July and the fifteenth day of September, inclusive; or in the Licking or Lewistown reservoirs between the first day of June and the first day of October, inclusive, with any device except hook and line, with bait or line; and in the season in which net fishing is permitted in the said Mercer county, Licking and Lewistown reservoirs, the net known as fyke or set net only shall be used, and with hoop or mouth of not over six feet in its greatest width and without use of wings or leads. No person shall, in any of the waters,, either natural or artificial, lying in the state of Ohio or part therein, shoot or spear fish. No person shall draw, set or place or catch fish with a device known as trammel net or with pocket fyke, except as heretofore stated. No person shall, in any of the waters of the state, except those heretofore named in this section, catch fish with any device whatever, except hook and line, with bait or lure. No person shall kill any fish by the use of dynamite or any other explosive mixture, or by the use of any poisonous drug, bait or food. No person shall catch or kill, with any device whatever, in any of the streams of the state, the fish commonly known as black bass, or any rock bass, commonly known as goggle-eye, from the first day of May until the fifteenth day of June, inclusive, except in streams flowing into Lake Erie below the first dam, next the mouth of those streams. No person shall draw, set, place or locate any trap, pound net, seine or any device for catching fish as in this section forbidden; and any nets, seines, pounds or other devices for catching fish, set or placed in violation of the provisions of this section, shall be confiscated wherever found, and the same shall be sold to the highest bidder, at public outcry, at a place to be selected by the fish commissioners, and the proceeds derived from such sale shall be placed to the credit of the fish and game fund, and subject to the warrant of such commissioners. No person shall catch or have in his possession any black bass of less than eight inches in length, buy, sell or offer for sale, or have in his possession any fish caught out of season, or in any manner prohibited; provided, that nothing in this act shall prevent the taking of minnows for bait, with nets, or shall prevent the fish and game commissioners of this state, or their agents, from taking fish at any time or place, in any manner, for the purpose of stocking ponds, lakes and rivers, and for the maintenance and cultivation of fish in hatcheries. Any person convicted of a violation of any of the provisions of this act, shall be fined for the first offense not less than twenty-five dollars, nor more than one hundred dollars, and in case of neglect or refusal to pay said fine, be imprisoned in the county jail not less than thirty days; and for the second or any subsequent violation of this act shall be fined not less than fifty dollars nor more than five hundred dollars, and in default of payment of fine and costs shall be imprisoned in the county jail not less

than sixty days, and all fines collected under this act shall go to the county fish and game fund in the county wherein the offense was committed, unless otherwise directed and ordered by the fish and game commissioners of this state. And it is hereby made the duty of the wardens and deputy wardens of this state, to prosecute all violations of this act in connection with the prosecuting-attorneys of the counties wherein such offense shall have [been] committed, and such prosecuting-attorney shall be entitled to the same fees as are now allowed by law for the collection of forfeited bonds. Provided, that nothing in this act shall apply to artificial fish ponds.

SECTION 2. That original section 6968 be and the same is hereby repealed; and this act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 79].

AN ACT

To amend sections 3634, 3648, 3650, 3651, 3652, 3654 and 3663 of the Revised Statutes of Ohio.

Insurance other than life:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3634, 3648, 3650, 3651, 3652, 3654 and 3663 be amended so as to read as follows:

Capital joint stock and mutual fire insurance companies must have.

SEC. 3634. No joint stock fire insurance company shall be incorporated under this chapter with a smaller capital than one hundred thousand dollars, which shall be divided into shares of one hundred dollars each; nor shall any company on the plan of mutual fire insurance be incorporated until not less than five hundred thousand dollars of insurance, in not less than two hundred separate risks, no one of which shall exceed $5,000, have been subscribed and the premium thereon, for one year, paid in cash, aggregating not less than $10,000 in cash, each subscriber agreeing, in writing, to assume a liability to be named in the policy, subject to call by the board of directors, in a sum not less than three nor more than five annual premiums. And the same liability shall also be agreed to in writing by each subsequent subscriber or applicant for insurance, who is not a merchant or manufacturer. And each subscription before incorporation shall be accompanied by a certificate of a justice of the peace of the township

Subscriptions to insurance in mutual companies.

or city where such subscriber resides, that the subscriber is, in his opinion, pecuniarily good and responsible to the extent of the contingent liability agreed to be assumed. Mutual fire insurance companies organized under this act may thereafter charge and collect in advance upon their policies a full annual premium in cash, but such policies shall not compel subscribers, insured or assured, to renew any policy nor pay a second or further annual or term premium. Any such company must, in its by-laws, and must in its policies, fix by a uniform rule the contingent mutual liability of its members for the payment of losses and expenses; and such contingent liabilities shall not be less than three nor more than five annual cash premiums as written in the policy; but such liability shall cease with the expiration of the time for which a cash premium has been paid in advance, except for liability incurred during said time; but nothing in this section shall apply to associations for the mutual protection of their members against loss by fire heretofore or hereafter organized as provided in section 3686 of the Revised Statutes.

Annual cash premiums collectable in advance by mutual companies.

Contingent mutual liability for losses and expenses.

Mutual fire associations.

SEC. 3648. No fire insurance company organized under any law of this state shall make any dividend except from the surplus profits arising from its business, and in estimating such profits there shall be reserved therefrom:

Dividends to be payable from surplus profits only; reservations therefrom.

First. A sum equal to fifty per cent. of the whole amount of premiums on unexpired risks and policies, which is hereby declared to be unearned premiums.

Second. All sums due the company on bonds and mortgages, bonds, stocks, and book accounts, of which no part of the principal nor the interest thereon has been paid during the preceding year, and on which an action has not been commenced, or which, after judgment obtained thereon, has remained more than two years unsatisfied, and on which interest has not been paid; and

Third. All interest due or accrued, and remaining unpaid, for which the company does not hold securities as herein before provided. Any dividend made contrary to the provision of this section shall subject the company which makes the same to a forfeiture of its charter, and [each] stockholder who receives it to a liability to the creditors of the company to the extent of the dividend received, besides the other penalties and punishments prescribed by law; but this section shall not prevent the declaration of scrip dividends by participating or mutual companies, yet no such scrip dividend shall be declared to an amount in excess of or be paid except from profits, after reserving all sums above provided, including the whole amount of premiums on unexpired risks; and the word "year," wherever used in this section, shall be construed to mean the calendar year, and the "profits" of a mutual insurance company are that portion of its cash funds not required for payment of losses and expenses nor set apart for any purpose required by law. Any such company may, in its by-laws, provide for the accumulation of a permanent

Penalty for violations of this section.

Scrip dividends by participating or mutual companies.

Interpretation of words "year" and "profits."

fund, by reserving a portion of the net profits, to be invested and be a reserve for the security of the insured. Such reservation shall not exceed twenty-five per cent. of said net profits; and when the sum so accumulated amounts to two per cent. of the sum insured by all policies in force, the whole of the net profits thereafter shall be divided among the insured at the expiration of their policies. The permanent fund so accumulated shall be used for the payment of losses and expenses, whenever the cash funds of the company in excess of an amount equal to its liabilities are exhausted; and whenever the said fund is drawn upon, the reservation of profits as aforesaid shall be renewed or continued until the limits of accumulation as herein provided is reached, but within a reasonable time after the determination of any policy the owner thereof shall be entitled to receive, and shall be paid his pro rata share of all net profits not included in the aforesaid permanent fund, and a scrip dividend for his contribution to said fund.

Accumulation of a permanent fund.

Rights of policy holder after determination of policy.

SEC. 3650. Every person who effects insurance in a mutual company, and continues to be insured, and his heirs, executors, administrators, and assigns, shall thereby become members of the company during the period of insurance, and shall be bound to pay for losses and such necessary expenses as accrue in and to the company in proportion to the original amount of his deposit note or contingent liability; and the directors shall, as often as they deem necessary, settle and determine the sum to be paid by the several members thereof, and publish the same in such manner as they may choose, or as the by-laws prescribe, and the sum to be paid by each member shall always be in proportion to the original amount of such liability, and shall be paid to the officers of the company within thirty days next after the publication of such notice; provided, that whenever such company is not possessed of cash funds above its reinsurance reserve sufficient for the payment of incurred losses and expenses, it shall be deemed to have impaired its capital, and when such impairment shall exceed twenty-five per cent. of the reinsurance reserve required to be maintained, it shall make an assessment for the amount needed to pay such losses and expenses upon its members liable to assessment therefor in proportion to their several liabilities, and to make good the reinsurance reserve; and no such company shall borrow money or create a debt, unless for the purpose of necessary office buildings, to continue beyond the period when such assessment may be collected and applied to the payment thereof; and no member shall be assessed for liabilities incurred prior to his membership.

Liability of members of mutual companies to assessment.

Assessments, how made.

For what purposes a debt may be created.

SEC. 3651. If a member neglect or refuse, for the space of thirty days after the publication of such notice, and after demand for payment, to pay the sum assessed upon him in [as his?]proportion of any loss as aforesaid, the directors may sue for and recover the whole amount of contingent liability, with cost of suit; but execution shall only issue for assessments

Enforcement of assessments.

and costs as they accrue, and every such execution shall be accompanied by a list of losses for which the assessment is made; and if the whole amount of such liability be insufficient to pay the loss occasioned by any fire or fires, the sufferers insured by the company shall receive, toward making good their respective losses, a proportional share of the whole amount of such liability, according to the sums by them respectively insured; but no member shall ever be required to pay for any loss occasioned by fire, or inland navigation, more than the whole amount of such liability.

Partial payment of loss.

SEC. 3652. In actions for the recovery of assessments duly levied by the directors of any mutual fire insurance company of this state, or for money due on the liability of the members of any such company, the official statement of the president or secretary of such company, under seal, and sworn to, shall be received in court as evidence of the facts essential for making the same, and that such assessment, for the non-payment of which any such action is commenced, has been duly levied and notice thereof given.

How assessments and notice proved.

SEC. 3654. The president or vice-president and secretary of each insurance company organized under any law of this state shall, annually, on the first day of January, or within thirty days thereafter, prepare, under oath, and deposit in the office of the superintendent of insurance, a statement of the condition of such company on the thirty-first day of December then next preceding, exhibiting the following facts and items, and in the following form, namely:

Annual reports of companies.

First. The amount of the capital stock of the company, specifying the amount paid and unpaid.

Second. The property or assets held by the company, specifying:

1. The value of the real estate owned by such company, where it is situate, and the value of buildings thereon.
2. The amount or [of?]cash on hand and deposited in banks to the credit of the company, specifying in what banks the same is deposited.
3. The amount of cash in the hands of agents and in course of transmission.
4. The amount of loans secured by bonds and mortgages, which are the first lien on real estate, and on which there is less than one year's interest due.
5. The amount of loans on which interest has not been paid within one year.
6. The amount due the company on which judgments have been obtained, and the cash value thereof.
7. The amount of stocks in this state, the United States, of any city of this state, and of any other stocks owned by the company, specifying the amount, number of shares, and the par and market value of each kind of stock.
8. The amount of stock held as collateral security for loans, with the amount loaned on, and the par and market value of each kind of stock.

9. The amount of unpaid assessments on stock, premium notes or contingent liabilities.
10. The amount of interest due and unpaid, and the amount of interest accrued but not due.
11. The amount of premium notes or contingent liabilities on which policies are issued.
12. The number of policies in force.
13. The amount insured under all policies in force.
14. The amount of premiums received thereon.
15. The amount and a description of all other assets.

Third. The liabilities of the company, specifying:

1. The amount of losses due and unpaid.
2. The amount of claims for losses resisted by the company.
3. The amount of losses incurred during the year, including those claimed and not due, and those reported to the company upon which no action has been taken.
4. The amount of dividends declared and due, and remaining unpaid.
5. The amount of dividends, either cash or scrip, declared but not due.
6. The amount of money borrowed, and the security given for the payment thereof.
7. The amount required for reinsurance, being in stock companies a sum equal to fifty per cent. of the whole amount of premiums on unexpired risks and policies, and in mutual companies a sum equal to fifty per cent. of the cash premiums received on unexpired risks and policies.
8. The amount of all other existing claims against the company.

Fourth. The income of the company during the preceding year, specifying:

1. The amount of cash premiums received.
2. The amount of notes or contingent assets received for premiums.
3. The amount of interest money received.
4. The amount of income received from other sources.

Fifth. The expenditure during the preceding year, specifying:

1. The amount of losses paid during the year, stating how much of the same accrued prior and how much subsequent to the date of the preceding statement, and the amount at which losses were estimated in each preceding statment.
2. The amount of dividends paid during the year.
3. The amount of expenses paid during the year, including commissions and fees to agents and officers of the company.
4. The amount paid for taxes.
5. The amount of all payments and expenditures.
6. Amount of scrip dividend declared.

Lien of mutual companies for premium notes.

SEC. 3663. All buildings insured by any mutual company shall be pledged to such company, together with the right and title of the assured in the lands upon which they are situate, to the amount of the premium note or contingent liability, and the company shall have a lien thereon to the amount of such note or liability; but the lien of the company shall not take effect until the company files with the recorder of the county in which the property insured is situate, a certificate, stating the date, number and amount of premium note, or contingent liability, and such a description of the property insured as will enable any person readily to identify the same; the recorder shall record and index the certificate in his book of liens, for which he shall receive the sum of fifty cents; and all liens heretofore acquired by any such company shall continue in force under this chapter.

Companies doing business on the "premium note plan."

SECTION 2. This act shall not affect companies now doing business on the premium note plan, unless they elect to dispense with said notes and embody the contingent liability in the policy as herein provided; and said original sections 3634, 3648, 3650, 3651, 3652, 3654 and 3663 are hereby repealed.

Repeal; section to remain in force as to certain mutual companies.

Provided, that said section shall remain in force as to all mutual companies now doing business, which do not elect to reorganize under the said sections as amended by this act.

SECTION 3. This act shall take effect and be in force from and after July 1st, 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[Senate Bill No. 162].

AN ACT

To define and extend the duties of the board of managers of the Cincinnati Orphan Asylum.

Cincinnati orphan asylum:

WHEREAS, It has been represented to this general assembly that the Cincinnati Orphan Asylum, a charitable institution endowed and supported chiefly by voluntary contributions, organized and conducted under and in conformity with the act of January 25, 1833, to establish an orphan asylum in the city of Cincinnati (Chase's statutes, 2271), and ever since conducted in conformity with that act and acts amendatory thereof, with usefulness and public approval, has by the growth of the city, by increased demands upon the asylum,

and by the disposition of charitable persons to increase its means, deemed it expedient to ask modifications of the statutes controlling it, to aid the general purpose for which it was organized; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city of the first class and of the first grade of such class, any orphan asylum therein legally named and known as the Cincinnati Orphan Asylum, incorporated and conducted under the act of January 25, 1833, to establish an orphan asylum in Cincinnati, which asylum was created before the present constitution of this state was adopted, is now and ever since it was created has been conducting and transacting its functions as an orphan asylum under said act, has not by election or by any other act come to be governed by laws since passed, but all the time has been and is controlled and governed by laws then in force, and the valid modifications since enacted: such orphan asylum from and after the date of the enactment of this act, shall be empowered and authorized by its lady managers, at any meeting reasonably convened and notified for that purpose, if deemed expedient, to increase the number of managers for the institution to eighteen. In the event of an increase in the number of managers to eighteen, they shall, by drawing lots or otherwise, be classified so that the time of service of one-third of the number shall expire at the end of one year, one-third of the number at the end of two years, and one-third of the number at the end of three years from the period of the commencement of the respective terms of service. At the annual meeting of the members of the corporation, there shall be elected each year, managers to fill the places made vacant by expiration of term of service or otherwise; provided, nevertheless, it shall be in the discretion of the lady managers, at any meeting of the managers reasonably notified and convened for that purpose, to require an increased or diminished number of managers, at and after their next election; but the number as increased or diminished shall be such as to be divisible by three into corresponding classes, whose terms shall expire, and with reference to which elections shall be held as before provided.

Increase in number of managers; same to be classified.

Annual election.

Power to require an increased or diminished number of managers.

SECTION 2. That from and after the date of this act, and from expirations of the current subscriptions, no person shall be entitled to membership in the corporation or to hold office in it other than annual subscribers and contributors in at least the sum of five dollars per annum; such subscriptions and payments to be made in conformity with rules prescribed by the managers; provided, however, that any present lady member who has held her membership and regularly paid her annual subscription for ten years last preceding the passage of this act may, at her option, continue her membership by paying the same amount per annum as heretofore required. But nothing herein shall prevent the membership or qualification for office of persons who have become life

Membership; eligibility to office.

Life and honorary memberships.

members under the provisions authorizing them to do so, on the payment of fifty dollars; nor prevent the creation of other life memberships on the payment of one hundred dollars or valuable service rendered; nor shall anything herein be held to prohibit honorary memberships, without the right to vote, from being conferred by the managers upon friends of the institution, whose services and influence deserve such honor.

Right to own property; to receive and administer endowments in other states.

SECTION 3. That said corporation shall be capable of purchasing, taking, holding and conveying any estate, real, personal or mixed, in this state, and of accepting, holding and administering or conveying any amount of endowment or income in any other state given to it for its uses, and which may be available for its uses, but in any case and always for the sole object and purpose of increasing the usefulness of the institution as an orphan asylum, nor shall any part of its property or income be used for any purpose or object other than the legitimate objects of the institution.

Placing of children in such asylum.

SECTION 4. That any child or person by law entitled, or subject to be placed in any children's home in the county of Hamilton, may, by the same method of procedure, and on the same terms and conditions, subject to the consent of the managers of the Cincinnati Orphan Asylum, be placed in said asylum.

Agreement between the trustees and county commissioners for the administration of certain trusts.

SECTION 5. That when, and if, the commissioners of Hamilton county shall accept or have accepted, a devise or devises under the last will and testament of any devisor, or have accepted or shall accept property of any kind in trust, whether conveyed by will, deed of conveyance or other lawful transfer, for the purposes specified in an act "to authorize county commissioners in certain cases to accept devises and legacies, and to erect and maintain an orphan asylum in connection with a children's home," passed February 11, 1869 (66 O. L., 8), and the amendment thereto, passed February 4, 1885 (82 O. L., 41), it shall be lawful for the county commissioners and the trustees of the Cincinnati Orphan Asylum to agree, and if deemed expedient they are authorized to agree for the administration of such trust or trusts and the care of beneficiaries of the trust or trusts, in accordance with the terms of the bequest, by said orphan asylum; but in no event shall the Cincinnati Orphan Asylum, without the assent of the managers of said asylum, undertake such trusts.

Adoption and binding out of orphan children.

SECTION 6. The managers of the Cincinnati Orphan Asylum, in the exercise of their discretion, are authorized to place children who are in charge of the asylum, whether orphans, half-orphans or merely destitute children, in homes, and consent to their adoption by suitable persons, or to bind them out to trades or service; such adoption or binding out being in conformity with the statutes relating to adoption

and binding out in force at the time the transaction shall be made.

SECTION 7. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 765].

AN ACT

To amend sections seven and ten of an act entitled "an act to create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities, and for other purposes," passed April 11, 1888.

Cleveland depositary for public moneys:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections seven and ten of the act entitled "an act to create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities, and for other purposes," passed April 11, 1888, be so amended as to read as follows:

When a bank becomes such depositary.

SEC. 7. The bank to which an award is made shall, upon the acceptance of such undertakings by the commission, become the depositary of the money aforesaid until the undertakings of its successor are accepted by the commission; but the commission may require additional security from the bank, at any time it deems the same necessary, in such sum as it shall designate; and if the bank refuse or neglect, for the period of five days thereafter, to give such additional security, the removal of the money therefrom forthwith may be ordered by the commission, and another bank designated to be the depositary thereof temporarily, at such rate of interest, or without interest, as the commission may determine. The order for such removal, or for any removal under the provisions of this act, shall be entered in the record of the proceedings of the commission; and a copy thereof, duly certified as such by the president and secretary of the commission, shall be transmitted to the city auditor, and a like copy to the president of the board of education of the school district, and thereupon the city auditor shall issue his warrant for the withdrawal of the money of the city from the depositary, and the president and clerk of the board of education shall issue an order for such withdrawal of the money of the school district, and thereupon the city treasurer, as such, and as ex-

Demand of additional security; failure to give.

Removal of the public moneys; temporary depositary.

officio treasurer of the school funds, shall issue checks accordingly for the removal. If the money, in case of such removal, be deposited in a bank designated as a depositary temporarily, such bank shall, before the receipt by it of any of the money, enter into undertakings as required by preceding sections; but if no bank be so designated the money shall be disposed of as provided in section nine.

City officers, etc., required to deposit public moneys with city treasurer.

SEC. 10. It shall be the duty of every board, officer, agent, and employe of each city of the grade and class aforesaid, except the sinking fund commissioners, having money in their hands belonging to the city, to deposit such money with the city treasurer upon the taking effect of this act; and thereafter such boards (except the board of cemetery trustees), officers, agents, and employes as receive money on account of the city shall deposit with such treasurer daily all money so received by them; but the board of cemetery trustees shall make such deposits weekly.

SECTION 2. That said original sections seven and ten be and are hereby repealed; and this act shall take effect on the first day of October, one thousand eight hundred and eighty-eight.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 108].

AN ACT

To repeal section 2551 of the Revised Statutes of Ohio.

Prohibition of burials within corporate limits.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2551 of the Revised Statutes of Ohio be and the same is hereby repealed.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 758].

AN ACT

To change the time for holding the November term of the court of common pleas of Fayette county for the year 1888.

Changing time of holding Fayette common pleas court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time of commencing the November term of the court of common pleas within and for the county of Fayette, as fixed by the judges of the fifth judicial district for the year eighteen hundred and eighty-eight, be and the same hereby is changed, so that the same shall begin on Monday, the 19th day of November, instead of Monday the 26th day of the same month.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 49.]

AN ACT

Supplementary to section 5398 of the Revised Statutes of Ohio.

Sale of lands on execution or order of sale:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 5398, Revised Statutes of Ohio, with sectional numbering as follows:

Right of judgment debtor to redeem at any time prior to confirmation.

SEC. 5398*a*. That in all sales of real estate on execution or order of sale, the judgment debtor may, at any time before the confirmation of the sale thereof, redeem the same from such sale by depositing in the hands of the clerk of the court to which such execution [or order] is returnable, the amount of the judgment or judgments or decree upon which such lands were sold, with all costs, including poundage, together with interest at the rate of eight per cent. per annum on the purchase money from the day of sale to the time of making such deposit, or, if the same is made in vacation, to the first day of the next term, except where the judgment creditor is the purchaser, then only interest at said rate on the excess above his claim; and the court shall thereupon make an order setting aside such sale, and apply said deposit to the payment of such judgment or judgments or decree and costs aforesaid, and award such interest to the purchaser, who shall receive from the officer making such sale the purchase money paid by him, and the interest aforesaid from said clerk; but noth-

ing in this supplementary section contained shall be held to take away the power of the court to set aside such sale for any reason for which the same might have been set aside prior to the enactment hereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 234].

AN ACT

To amend section 4135 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4135 of the Revised Statutes of Ohio be so amended as to read as follows:

Release of mortgage by mortgagee or assignee.

SEC. 4135. When the mortgagee of any property within this state, or the party or parties to whom the mortgage has been assigned in writing on the same, or on the margin of the record thereof, which assignment need not be witnessed or acknowledged, receives payment of the whole or any part of the money due him or them, and secured by the mortgage, and enters satisfaction or a receipt therefor, either on the mortgage or on the record thereof, such satisfaction or receipt, when entered on such record, or copied thereto from the original mortgage by the recorder of the proper county, shall operate and be taken to release the mortgage to the extent of such receipt. In all cases where the mortgage has been assigned, the recorder shall copy the assignment or assignments thereof, from the original mortgage, upon the margin of the record of the mortgage, before such satisfaction or receipt is entered upon the record of the same. All assignments and releases of mortgages heretofore made as above provided shall be deemed and held to be valid assignments and releases of such mortgages.

SECTION 2. That said section 4135 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 578].

AN ACT

To prevent fraud in the sale of wool.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be unlawful for any person or persons to sell any wool washed on sheep's back or otherwise, containing any unwashed tag-locks, or any unwashed wool of any kind, or black wool, or parts of buck's fleeces, or other substance foreign to the fleece or fleeces, which is calculated and intended to defraud the purchaser thereof. Unlawful sale of certain kinds of wool.

SECTION 2. Any person or persons guilty of violating the provisions of section one of this act, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned not less than thirty days nor more than ninety days, or both, at the discretion of the court. Penalty.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 326].

AN ACT

Giving to justices of the peace, mayors, and police judges final jurisdiction in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That justices of the peace, mayors, and police judges shall have final jurisdiction in all cases arising under the provisions of sections sixty-nine hundred and sixty, sixty-nine hundred and sixty-one, sixty-nine hundred and sixty-three, sixty-nine hundred and sixty-four, sixty-nine hundred and sixty-five, sixty-nine hundred and sixty-seven, and sixty-nine hundred and sixty-eight of the Revised Statutes; provided, that the defendant shall be entitled, on demand, to a trial by jury. If such prosecutions be before a justice of the peace, and a trial by jury be not waived, the said justice shall issue a venire to any constable of the county, containing the names of sixteen electors of the county, to serve as jurors to try such case, and make due return thereof. Each party shall be entitled to two peremptory challenges, and shall be subject to the same challenges as jurors are subject to in crim- Final jurisdiction of justices, mayors and police judges in certain cases. Trial by jury.

inal cases in the court of common pleas. If the venire of sixteen names be exhausted without obtaining the required number to fill the panel, the justice may direct the constable to summon any of the by-standers to act as jurors; but costs shall not be required to be advanced or paid by a person or an officer authorized or required by statute to prosecute such cases; and if the defendant be acquitted, or if he be convicted, and committed to jail in default of payment of fine and costs, the justice, mayor, or police judge before whom the case was brought shall certify such costs to the county auditor, who shall examine, and, if necessary, correct the account, and issue his warrant to the county treasurer in favor of the respective officers to whom costs are due for the amount due to each.

Payment of costs in certain cases.

SECTION 2. This act shall take effect upon its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 16, 1888.

[House Bill No. 575].

AN ACT

To amend section 6925 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6925 be amended so as to read as follows:

Permitting emptying of coal dirt, petroleum, etc., into rivers, etc.

SEC. 6925. Whoever intentionally throws or deposits, or permits to be thrown or deposited, any coal dirt, coal slack, coal screenings, or coal refuse from coal mines, or any refuse or filth from any coal oil refinery or gas works, or any whey or filthy drainage from a cheese factory, upon or into any of the rivers, lakes, ponds, or streams of this state, or upon or into any place from which the same will wash into any such river, lake, pond or stream; or whoever shall, by himself, agent or employe, cause, suffer or permit any petroleum or crude oil, or refined oil or refuse matter or filth from any oil well, or oil tank, or oil vat, or place of deposit of crude or refined oil, to run into, or be poured, or emptied, or thrown into any river, or ditch, or drain, or water-course, or into any place from which said petroleum, or crude oil [or] refuse matter, or filth or refined oil may run or wash, or does run of [or?] wash into any such river, or ditch, or drain, or water-course, shall be fined in any sum not more than five hundred dollars

nor less than fifty dollars; and such fine and costs of prosecution shall be and remain a lien on said well, oil tank, oil refinery, oil vat and place of deposit, and the contents of said well, oil tank, oil refinery, oil vat or place of deposit, until said fine and costs are paid; and said well, oil tank, oil refinery, oil vat or place of deposit, and the contents thereof, may be sold for the payment of such fine and costs, upon execution duly issued for that purpose. Penalty.

SECTION 2. Said original section 6925 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 205].

AN ACT

To amend sections 6224 and 6225 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section[s] 6224 and 6225 be amended to read as follows: Executors and administrators:

SEC. 6224. When it shall appear to the court, from the representation of an executor or administrator, that the real and personal estate of the deceased will probably be insufficient for the payment of his debts, the court may, in its discretion, appoint two or more fit persons to be commissioners to receive and examine all claims of creditors against the estate of the deceased, including those claims duly presented and allowed by the administrator or executor, and any and all other claims duly verified and presented to them, and return to the court a list of all the claims that shall have been thus laid before them, with the sum that they shall have allowed on each claim; and the commissioners, before entering on the duties of their office, shall be sworn to the faithful discharge thereof. Commissioners to audit claims against insolvent estate of decedent. Oath.

SEC. 6225. The commissioners of insolvency shall appoint convenient times and places for their meetings, to receive and examine all claims of creditors as provided for in section 6224; and shall give notice thereof, in writing, to each of the creditors aforesaid by mailing the same to his post-office Notice of their meetings.

address; and further, by causing notifications to be posted up in some public places where the deceased last dwelt, or in such other manner as the court aforesaid, having regard to situation of the creditors of the estate, may order.

SECTION 2. That section 6224 and section 6225, Revised Statutes, be and the same are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate

Passed April 16, 1888.

[House Bill No. 319].

AN ACT

To amend section 3806 of the Revised Statutes.

Savings banks:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3806 be amended so as to read as follows:

Investment of funds.

SEC. 3806. Such corporations may invest their funds in the purchase of stocks, bonds or other evidences of the indebtedness of the United States, stocks and bonds of the state of Ohio, bonds of any municipal corporation of this state, or school bonds of any municipal corporation, special school district or body politic in this state, issued pursuant to law, or in bonds issued by county commissioners within this state in pursuance of law, to such an amount as may be deemed proper; or the stocks or bonds of any state of the United States that has for five years immediately preceding such investment, paid the interest on its bonded debt in lawful money of the United States, to the extent of ten per cent. of their paid in capital and deposits; or in bonds or notes secured by mortgages on unincumbered real estate situated in the county where the association is located, or any adjoining county in this state, worth exclusive of buildings at least double the amount loaned thereon, unless accompanied with valid insurance upon the buildings thereon that will make the value of the real [estate?] and insurance, at least double the amount loaned thereon; but not more than fifty per centum of the amount of the paid in capital and deposits of any such association shall at any time be invested in such real estate securities. Such associations may discount notes and bills of exchange, and may take, receive, reserve and charge upon any loan or discount made upon any note, bill of exchange

Discounts; interest; exchange.

or other evidence of debt, interest at the rate allowed by law. Such interest may be reserved or taken in advance, at the time of making the loan or discount; and for interest taken directly or indirectly, in excess thereof, the association shall be subject to the same penalties as natural persons; but in the purchase, discount or sale of a bill of exchange, payable at another place than the place of such purchase, discount or sale, the current rate of discount or premium may be charged and received in addition thereto. And no such corporation shall advertise by newspaper or letter-head, or in any other way, a larger capital stock than has been actually paid in.

Prohibiting advertisement of capital not paid in.

SECTION 2. Said original section No. 3806 is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 241].

AN ACT

To regulate the construction of buildings within any city of the first class and second grade, and to provide for the appointment of an inspector of buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of the city shall appoint, subject to the confirmation of the common council, in every city of the first class of the second grade, one person, who shall be an architect or builder, as "inspector of buildings" in such city of the first class, who shall hold such office for the term of two years from and after the date of his appointment, subject to the provisions and stipulations of this act hereinafter provided, and until his successor is duly appointed and qualified, but may be removed by said mayor for malfeasance, misfeasance or non-feasance in office; the said inspector shall receive an annual salary of $2,500.00, which shall be in full for all services to be performed by him; the common council may provide by ordinance that said inspector shall have an "assistant inspector" of buildings, at a salary not to exceed $1,500.00 per annum, and one "deputy," at a salary not to exceed $900.00 per annum; said salaries payable as the salaries of other city officers; said "assistant inspector" of buildings and a deputy to be appointed by, and each to hold his office during the pleasure of, the said inspector of buildings.

Cleveland: appointment of inspector of buildings.

Term.

Removal.

Salary.

Assistant and deputy; their appointment, salaries and term.

Oath and bond.

SECTION 2. The inspector of buildings shall, before he enters upon the duties of his office, take and subscribe an oath to faithfully and impartially execute the duties of his office, and shall give bond in the sum of $15,000.00, with two or more sufficient securities to be approved by the city solicitor, conditional for the faithful performance of his duties, and shall devote his entire time to the same.

Office.

SECTION 3. The said inspector shall be furnished an office in the city hall or such other place as shall be provided by the common council, where it shall be his duty to keep a record of all the certificates issued, which shall be regularly numbered in the order of their issue, and also a record of the statement upon which the certificates are issued, and shall report the same annually upon the second Monday of April to the county auditor. He shall also keep a record of the number, description, class, size and cost of every building or structure erected in the city during his term of office, for which certificates were issued, and shall report the same to the mayor annually; he shall also file a monthly report, made under oath, to the mayor on or before the tenth of each month for the month preceding, of the number of certificates issued, money received and cost of structures erected in such city.

Records to be kept.

Annual report to county auditor.

Annual and monthly reports to mayor.

Inspection of buildings.

SECTION 4. It shall be the duty of the inspector appointed under the provisions of this act to inspect any building or structure which may be in the course of construction or alteration within the limits of such city, and to see that each building or structure is being constructed or altered according to the provisions of this act and all acts and ordinances in force in such city. If the said inspector is served with a written notice by the owner, contractor or contractors of any building or structure to inspect said building in progress of construction or alteration, he or his deputies shall do so.

Application for permit to build, repair, alter, etc.

SECTION 5. When any person or persons or corporation shall be desirous of erecting, repairing, changing or altering any building or structure within the limits of such city, he or they shall make application at the office of the inspector for a certificate for that purpose, and shall furnish said inspector with a written statement of the location and intended use of the proposed building or structure, together with the plans and specifications of the same, which shall be delivered to the said inspector and remain in his custody a sufficient length of time to allow the necessary examination to be made of the same, and shall have access to the same at any time; after which, if it shall appear to the said inspector that the laws and ordinances of such city are complied with, he shall give the certificate asked for. The applicant shall present the certificate to the city clerk, who shall issue a permit in accordance therewith upon the payment of the following prescribed fees: The sum of one dollar for the permit, and an additional sum of one cent for each and every 100 cubic feet of contents of said buildings or structures, and for

Statement, plans and specifications to be submitted.

Granting of certificate.

Issue of permit.

Cost of permits.

additions to buildings or structures, and for alterations to old buildings or structures the cost of which is $1,000.00 or over, the sum of $2.00 per $1,000.00 or fractional part thereof to be charged in addition to the sum of $1.00 for the permit. For alterations to old buildings or structures, the cost of which is less than $1,000.00, the sum of $1.00 for the permit only will be charged. In case the inspector shall refuse to give an applicant the certificate applied for, such applicant may appeal to the board of improvements of such city. The aforesaid appeal shall state the reasons for such appeal and for what further reasons the certificate should be granted, all of which shall be in writing and accompanied by a certified check, payable to the city treasurer, covering the cost of aforesaid fees. Such appeal shall be submitted to the inspector for answer thereto, which answer shall also be in writing. The said board shall have the power to call in such other testimony bearing upon the case and upon being satisfied may instruct the inspector in writing to issue the certificates applied for. Should said board refuse to authorize the inspector to issue such certificate, the aforesaid certified check shall be forfeited to the city. All papers and testimony relating to cases of appeal shall be recorded in books kept for such purpose in the inspector's office.

Appeal from refusal to grant certificate.

Inspector's answer.

Powers of board of improvements to determine such appeal.

Record of papers and testimony.

SECTION 6. Blank forms for the detailed statement as herein required may be obtained at the office of the inspector, which the applicants shall fill out; and the owner or owners, his or their agents, shall sign the agreement contained in said statement, that he or they will in all respects construct the work in compliance with the provisions of this act and the ordinances of such city; and it shall not be lawful to proceed to construct, alter or repair any building or structure within the limits of such city without such permit. Every permit issued shall be subject to revocation should the inspector become convinced that the work done under said permit is proceeding in violation of law. Revocation of a permit shall be in writing, and shall be served on the owner, superintendent or contractor in charge of the work, or posted on the property; and from and after such revocation of permit, all parties doing any work or furnishing any material in or about said structure, buildings or premises, shall be guilty of a misdemeanor within the terms of this act, and subject to fine or imprisonment as herein provided.

Blank forms.

Building agreements.

Unlawful to proceed without permit.

Revocation of permits.

Penalty for work on building after revocation.

SECTION 7. That any person, firm or corporation, either as owner, contractor or architect or any agent, trustee, director, officer, or employe of any person, firm or corporation, who violates or authorizes a violation of any provision of this act, shall be guilty of a misdemeanor, and be subject to a fine not exceeding the sum of one thousand dollars, or an imprisonment not exceeding three months, or both, in the discretion of the court or judge imposing same.

Penalty for violations of this act.

SECTION 8. In this act the following terms shall have the meanings respectively assigned to them:

Meaning of terms:

Public building.

(*a*) "Public buildings" means every building used as a church or other place of public worship; also every building used as a college, school, public hall, hospital, theater, public concert-room, public ball-room, public lecture-room, or for any public assemblage.

Warehouse class.

(*b*) Buildings of the "warehouse class" shall comprise buildings used for the storage of merchandise, manufactories in which machinery is operated, breweries and distilleries.

Dwelling-house class.

(*c*) Buildings of the "dwelling-house class" shall comprise all buildings, except public buildings, and buildings of the "warehouse class."

Inspector.

(*d*) Inspector means the "inspector of buildings" appointed under provisions of this act.

External wall.

(*e*) "External wall" means every outer wall or vertical enclosure of any building, not being a party wall.

Party wall.

(*f*) "Party wall" means a wall that separates two or more buildings, and used, or to be used jointly by said separate buildings.

Division wall.

(*g*) "Division wall" means a wall that separates one part of any building from another part of the same building.

Base of brick wall.

(*h*) The base of a brick wall means the course immediately above the foundation wall.

Footing course.

(*i*) Footing course means a projecting course or courses under the base of a foundation wall.

Fire limits.

SECTION 9. Any such city may, by ordinance, establish or extend fire limits; and if such city shall have squares blocked for fire protection, the same shall be considered to mean "fire limits" under this act.

Buildings within fire limits.

SECTION 10. All buildings hereinafter erected within the "fire limits" of such city shall be enclosed with walls constructed of brick, stone, or any other hard incombustible substances, and the foundation shall rest upon solid ground, concrete, or other solid and sufficient substructure.

Exemptions in fire limits.

SECTION 11. The following buildings and erections are exempt from the provisions of the preceding section: sheds, the extreme height of which do not exceed 15 feet, built on wharves, to be used for any lawful purpose. Temporary

Sheds.

sheds of the same height to facilitate the building of authorized buildings; elevators of any height for the storage of coal

Elevators.

or grain. All external parts of said elevators shall be covered with incombustible material, and materials used and the mode of construction shall be approved by the inspector. Green-houses, so far as regards the necessary wood-work of

Green-houses; privies, quays, etc.

doors, frames and such; all privies not more than ten feet square and ten feet high, bridges, quays and wharves.

Alterations, additions and repairs.

SECTION 12. Any work of alteration or addition made for any purpose, into or upon any building, shall, to the extent of such work or alteration, be subject to the regulations of this act. The said inspector may, however, issue a permit without charge for the repairs necessary for the maintenance of the building.

Rebuilding regarded as new building, when.

SECTION 13. Whenever any old building shall be torn down, or burned to the extent exceeding one-half of such building (such half to be measured in cubic feet,) the rebuilding thereof shall be termed the erection of a new building, and every portion of such old building that is not in conformity with the regulations and provisions of this act shall be forthwith taken down.

Thicknesses of external and party walls.

SECTION 14. The external and party walls shall be made throughout the different stories of the thicknesses shown in the following tables, arranged according to the heights and length of the walls up to one hundred feet in height:

Minimum thickness.

(*a*) The thickness of every wall as herein determined, shall be the minimum thickness.

Height of topmost story.

(*b*) The height of every topmost story shall be measured from the level of its floor up to the underside of the tie of the roof, or up to the vertical height of the rafters, when the roof has no tie, and the height of every story shall be the clear height of such story exclusive of the thickness of the floor.

Height of wall.

(*c*) The height of every external and party wall shall be measured from the base of the wall to the level of the top of the topmost story.

Length of walls.

(*d*) Walls are deemed to be divided into distinct lengths by return walls, and the length of every wall is measured from the center of one return wall to the center of another, provided, that such return walls are external, or party cross walls of the thickness herein required, and bonded into the walls so deemed to be divided.

Division walls.

(*e*) Division walls shall not be less than two-thirds the thickness of the party or external walls of the same heights and lengths, but never less than 9 inches thick, except when used as partition walls and are not bearing walls, and not more than 12 feet high.

Return wall.

(*f*) No wall sub-dividing any building shall be deemed a return wall as before mentioned in this act, unless it is two-thirds the height of the external or party walls.

Recesses and openings.

(*g*) If the recesses or openings in party, external or division walls, the same being bearing walls, exceed one-half the entire area of the wall in the story in which they are made, the thickness of said walls shall be 4½ inches greater than set forth in the tables.

Recesses and chases.

(*h*) Recesses and chases may be made in walls; provided, that in party and external walls, backs of recesses and chases shall not be less than 9 inches thick, and in division walls not less than 4½ inches thick; chases shall be so spaced as not to unduly weaken the wall.

When length of wall shall not be considered.

(*i*) If the center of any external or party wall is not more than twenty-five feet distant from the center of any other external or party wall to which it is tied by the beams of any floor or floors other than the ground floor, or the floor of any story formed in the roof, the length of such wall is not to be taken into consideration, and the thickness of the wall will be found in the column marked A, in the following tables.

When stories exceed a certain height.

(*k*) If any story exceeds in height sixteen times the thickness prescribed for the walls of such story in the following tables, the thickness of each external and party wall throughout such story shall be increased to one-sixteenth part of the height of the story; but any such additional thickness may be confined to piers properly distributed, of which the collective widths shall amount to one-fourth part of the length of the wall.

Height of story.

(*l*) No story enclosed with wall less than thirteen inches in thickness shall be more than eleven feet in height.

Construction of walls.

(*m*) Every wall constructed of brick, stone or other incombustible substances shall be solidly put together with lime or cement mortar and properly bonded.

TABLE No. 1—N.—DWELLING-HOUSE CLASS.

Height up to—		24 feet.		36 feet.	48 feet.		60 feet.		72 feet.		84 feet.		100 feet.	
Length up to—		87 feet.	Unlimited.	Unlimited.	60 feet.	Unlimited.	60 feet.	Unlimited.	60 feet.	Unlimited.	60 feet.	Unlimited.	60 feet.	Unlimited.
One story		From base to top of wall, 9 inches.				17 in.	17 in.					21 in.	21 in.	
Two stories								17 in.	17 in.		21 in.			21 in.
Three stories										17 in.	17 in.		17 in.	
Four stories													17 in.	
Topmost story			9 in.	9 in.	9 in.	9 in.	9 in.	9 in.						
Wall below			13 in.	13 in.	13 in.	13 in.	13 in.							
Topmost st'ry			9 in.	9 in.	9 in.	9 in.	9 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.
Remainder														

TABLE No. 2—O.—PUBLIC BUILDING AND WAREHOUSE CLASS.

Height up to—	36 feet.		48 feet.		60 feet.		72 feet.		84 feet.		100 feet.	
Length up to—	60 feet.	Unlimited.	60 feet.	Unlimited.	60 feet.	Unlimited.	60 feet.	Unlimited	60 feet.	Unlimited.	60 feet.	Unlimited.
Topmost story	A 9 in.	From base to top of wall, 9 inches.	A	.....	A	. .....	A	.....	A	.....	.....	13 in.
Two topmost stories	.....	.....	.....	.....	.....	13 in.	.....	13 in.	.....	13 in.	.....	.....
Three topmost stories	.....	.....	.....	.....	13 in.	.....	13 in.	.....	13 in.	.....	.....	.....
First story	.....	.....	.....	17 in.	.....	.....	.....	.....	.....	.....	.....	.....
Two stories	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	21 in.
Four stories	.....	.....	.....	.....	.....	.....	.....	.....	17 in.	17 in.	17 in.	17 in.
Remainder	13 in.	.....	13 in.	18 in.	17 in.	17 in.	17 in.	17 in.	21 in.	21 in.	21 in.	28 in.

SECTION 15. Whenever any person or persons or corporation shall be about to erect or alter the external walls of a building within five feet of the line of a traveled street, said person, persons or corporations shall cause the portion of said site of said building bordering on said street to be enclosed by a fence not less than six feet high and at least seven feet from the line of such building, and, if such fence shall prevent passage on the sidewalk, shall lay and maintain a plank sidewalk around the same not less than thirty-six inches wide; and said fence shall be made as much higher, and the walk as much wider, and they both shall be constructed in such manner, as the inspector shall direct; said person, persons or corporation shall take such precautionary measures in lieu of the above as the inspector may direct.

Erection or alteration of external walls near traveled street.

Liability for damages to adjoining property for excavations below standard depth.

SECTION 16. If the owner or possessor of any lot or land digs, or causes to be dug, any cellar, pit, vault or excavation to a greater depth than twelve feet below [] of the curb of the street on which such land or lot abuts, or, if there be no curb, below the surface of such adjoining lots, and by such excavation causes any danger to any wall, house or any other building upon the lots adjoining thereto, such owners or possessors shall be liable in a civil action to the party injured, to the full amount of the damage aforesaid. Such owner or possessor may dig, or cause to be dug, any such cellar, pit or excavation to the full depth or [of?] any foundation wall of any building upon the adjoining lots, or to the full depth of twelve feet below the established grade of the street whereon such lot abuts, without reference to the adjoining foundation walls, without incurring the liability prescribed in this chapter.

Foundation walls and their footings.

SECTION 17. Proper foundation walls or piers and their footings of masonry or other suitable material shall be provided for the support of buildings. All foundation walls shall be at least four inches thicker than the base of the wall of the story next above them. The bottom of foundation or footings of external walls or piers shall be at least four feet below the ground surface exposed to frost.

Excavations under sidewalk to be walled and covered, how.

SECTION 18. Any person desirous of utilizing the space under the sidewalk in front of any building owned by him shall construct a sufficient wall of masonry to retain the roadway of the street, and shall extend the side, division and party walls of such building under the sidewalk to such curb wall. No plain surface of glass or iron greater than 3 inches in diameter shall be placed in any sidewalk.

Backing of exterior walls over three stories high faced with stone.

SECTION 19. In all buildings over three stories high, walls faced with stone shall have backing of the thickness specified for walls where no facing is used, unless the stone facing is laid in alternate courses of different thicknesses, so as to bond on to the backing at least 4 inches every two feet in height, when the backing may be 4 inches less in thickness. Walls not carried out together must be anchored every 6 feet in their height by good and sufficient wrought iron anchors 36 inches long, ends to be turned up $2\frac{1}{2}$ inches. Cut stone work must be properly cramped and anchored together and to backing. Pressed brick work to be properly bonded to backing.

Walls not carried up together; cut stone work; pressed brick work.

Wall anchors.

SECTION 20. External and party walls above the ground floor shall be securely anchored at least every 8 feet to each tier of joints with wrought-iron hooked end anchors provided with proper T or other iron heads. Where joists are supported by girders, the anchorage must be made continuous by "dog-anchors" of proper proportions, or other approved system. Anchors parallel with joists to be not less than 2 feet long; anchors at right angles to joists not less than five feet long.

Joist anchors.

Chimney walls and linings.

SECTION 21. (*a*) No chimney or smoke flue shall be built with less than $4\frac{1}{2}$ inches inclosing and division walls, and shall be lined with terra cotta fire-clay linings or plaster on the inside, and on the outside where passing between ti-

bers. Chimneys where there are not flues shall be built solid.

Fire places.

(*b*) In the construction of fireplaces, no jamb or back shall be less than 9 inches thick, and a brick arch or a sufficient bar of iron shall be provided over the opening to support the breast.

Hearths.

(*c*) Hearths of open fireplaces shall be of stone or other incombustible substance, and shall rest on brick trimmer-arches or other fire-proof material, which arches or other material shall be not less than 18 inches wide in front of the breast.

Chimney tops and anchors.

(*d*) Chimney-tops shall be at least 4 feet above the roof, and any chimney carried to a height above the roof more than six times its thickness shall be properly anchored or otherwise made secure.

Corbelling out of chimneys; foundations.

(*e*) Chimneys forming part of a wall shall not be corbelled out beyond the face of the wall more than two-thirds of the thickness of the wall (without the permission of the inspector as to method and extent of such corbelling). Every chimney not forming part of a wall shall rest upon the ground or other sufficient fire-proof foundation.

Walls and tops of large flues.

(*f*) Flues larger than 250 square inches and less than 500 square inches, shall be surrounded with walls not less than 8 inches thick; and the walls of such flues above the inlet funnel shall be 12 inches thick for the first 15 feet around and above such inlet; tops of such chimneys to be at least eight feet above the roof, or five feet above the highest part of the roof within fifty feet of such chimney. Flues with more than 500 and less than 800 inches area shall have not less than sixteen-inch walls opposite the inlet and ten feet above the same, and not less than twelve-inch walls for the next thirty-six feet; top of chimney ten feet above the roof, or seven feet above the highest part of the roof within fifty feet of such chimney.

Placing of timbers in walls and masonry.

SECTION 22. In no building shall any timber or woodwork be placed within six inches of any smoke-flue, or within two inches of the face of the wall enclosing a flue (unless the face of the wall is plastered). Timbers in "party walls" shall be separated from each other by solid masonry not less than 4½ inches thick. Joists built into walls of masonry shall be beveled at an angle of 45 degrees from the junction of the wall and the upper edge of the joists. Every trimmer over six feet long in floors constructed to carry more than 70 pounds per square foot of surface shall be hung in suitable stirrup iron of wrought-iron. All timbers shall have sufficient bearing on their supports to insure stability. In all buildings where the joists are carried on girders, a cut off partition or row of solid bridging not less than 1½ inches thick shall be set in and solidly nailed over the girder so as to fill spaces between joists and prevent the passage of fire and smoke.

Scuttle frames in roofs.

SECTION 23. Buildings of the "warehouse" class over one story high, and in other buildings where required by the inspector, shall have in the roof scuttle frames and covers or bulkheads and doors not less than 2 feet by 3 feet 6 inches made of or covered with fire-proof material, and such scuttles and bulkheads shall have iron ladders or iron stairs securely bolted to floors and frames; such scuttles, bulkheads and stairs shall be ready for use at all times. The doors in such scuttles or bulkheads shall not be locked but must be fastened by movable bolts or hooks. Skylights on roofs shall be protected with a sufficient guard railing when so required by the inspector.

Iron stairs to bulkheads.

Skylights.

Roofing in fire limits.

SECTION 24. Weather coverings of roofs within the fire limits shall be made of incombustible material. Appendages such as skylights, dormer windows, cornices, gutters, moldings, eaves, parapets, balconies, bay windows, towers, spires, ventilators, erections over elevators, turret, lantern-light or other erections on roofs, if not wholly fire-proof, shall be enveloped with incombustible material.

Appendages.

Walls between wooden buildings.

SECTION 25. In the erection of wooden buildings in blocks of two or more, the said buildings shall have division or party walls of incombustible material, said walls to extend up to the under side of roof boards.

Fall pipes and their connections.

SECTION 26. Buildings shall be provided with proper metallic "fall pipes," which shall be connected with a sewer, when such building abuts upon an alley or street in which a public sewer is located; otherwise the water shall be carried to the street gutter in a manner approved by the inspector.

Stairways.

SECTION 27. Stairways shall not be enclosed with partitions made of planks, boards, flooring, or scantling, unless plastered on both sides or covered with metal (except in private residences). Scantling partitions shall not be employed as supporters of any floor or roof (except in private residences).

Scantling partitions.

Fire-proof shutters, etc. necessary, when.

SECTION 28. Openings in walls of buildings over two stories high, in the warehouse class, and located opposite any other building having openings and not more than thirty feet distant, shall be provided with doors, blinds or shutters made of or covered with fire proof material. The doors or shutters shall be hung on cast iron eyes or frames. Prismatic lights in iron frames shall be equivalent for fire-proof shutters. Every opening in "party walls" shall be closed by two such fire-proof doors as above described, hung to cast iron eyes or frames on the opposite sides of the jambs of the opening.

Provisions relating to construction of heating apparatus.

SECTION 29. (*a*) Stationary boilers, heating furnaces of all kinds, also every oven or stove used for heating or manufacturing purposes, shall be placed on fire-proof foundations and provided with proper hearths, and the floor space around the same shall be covered with incombustible and non-conducting substances.

(*b*) No unprotected structural wood-work or other combustible material shall be located within four feet of any part of a stationary boiler, or within 20 inches of any stove, oven or heating furnace before mentioned.

(*c*) No pipes conveying heated air or steam shall be placed nearer than 6 inches to any unprotected combustible material.

(*d*) Hot air conductors built in between timbers or other combustible material within 10 inches of the same, shall be made double, with at least ½-inch space between the two envelopes.

(*e*) Hot-air registers shall be set in incombustible borders, and openings in floors for registers shall be lined with metal.

Inspector's approval.

(*f*) All the foregoing provisions of this section shall be subject to the approval of the inspector,

Protection against molten metal and hot liquids.

SECTION 30. In every factory or workshop, all machinery and appliances connected therewith, also every vat, pan or other structure with molten metal or hot liquids, shall be constructed in such a manner and so guarded as to protect those employed in their operation and use or about them.

Elevators.

SECTION 31. Elevators located and operated in the well-holes of stairways, shall, together with the stairs and the landing thereof, be constructed of fire-proof material. All elevators so required in the judgment of the inspector shall be inclosed with walls of incombustible material, or with substantial stud partitions covered with metal lathing and three coats of plastering on each side, and said walls or partitions shall be carried through the roof. All elevator openings through floors shall be protected by proper rails or gates, or the openings in floors through which the elevator passes shall be closed with trap doors covered on the under side with metal. The roof over every elevator within a shaft, as above provided, shall be formed with a sky-light of sheet glass, of at least one-half the area of the shaft.

Fire escapes.

SECTION 32. All buildings, except such as are used for private residences exclusively, in such city of the first class, second grade, of three or more stories in height, shall be provided with one or more suitable fire-escapes, extending from the first story to the upper stories of such building, and above the roof, and on the outer walls thereof, in such location and numbers, and of such material and construction as the inspector may determine. After such determination by the said inspector, he may, at any time, by a notice served upon the owner, lessee or occupant of any such building, by leaving with such owner, lessee or occupant, or at his or their residence or place of business, a copy of such notice, require such owner, lessee or occupant, or either of them, to cause such metallic fire-escape to be placed upon such building within thirty days after the service of such notice; provided, however, that all buildings more than two stories high, used for manufacturing purposes, shall have one suitable fire-escape for every twenty-five persons or less employed above the second story, or a fire-proof stairway. In case the lessee, owner or occupant, or either of them, so served with notice as afore-

Notice to erect fire escapes.

said, sha'l not, within thirty days after the service of such notice upon him or them, place or cause to be placed such suitable fire-escape upon such building as required by this article and the terms of such notice, he or they shall be subject to a fine of not less than $10.00 nor more than $100.00, and to a further fine of $50.00 for each week of such neglect to comply with such notice after the service of the same.

Penalty for failure to erect same.

SECTION 33. No buildings within the limits of such city of the first class shall be used or occupied, in whole or in part, for any of the trades or occupations hereinafter mentioned, to-wit: planing-mill, sash, door and blind factories, wagon or carriage factories, cabinet and furniture manufactories, wood-turning and veneering works, agricultural implement manufactories, box or shingle factories, or any other wood-working factory, two or more stories in height, unless such building so occupied shall have in connection with it a brick or fire-proof vault of sufficient capacity to contain all shavings, saw-dust, chips, or other light combustible refuse connected therewith; all such shavings and other light combustible refuse or material shall be removed daily from such premises to such vault, and all such shavings or light combustible refuse shall be removed daily from any and every carpenter, cooper, or wood-working shop not herein specified.

Fire proof vaults for wood-working factories.

SECTION 34. No person shall hereafter, either as owner, lessee or agent, use or occupy, or permit the use and occupation of any store, factory, workshop or other structure, where any person or persons shall be employed as workmen or workwomen for wages in any trade or occupation, unless every such store, factory, workshop or other structure shall be provided with sufficient fire-proof doors and stairways for the escape of employes in the event of fire or other accident happening, under the penalty of not less than $25.00 for each and every offense, and a further penalty of $50.00 for each and every day each owner, lessee or agent shall, after the first conviction, neglect or refuse to comply with any provisions in this section.

Fire proof doors and stairways required in certain buildings.

SECTION 35. Any person desiring to move a building, shall first obtain a written consent to such removal from persons owning a majority of feet front of lots within two hundred feet in the same block on same street in which it is proposed to locate such removed building, and also a majority of persons owning front feet opposite the proposed location and within one hundred and fifty feet of the same; no wooden building within or without the fire limits shall be moved to any lot within said limits where it would be in violation of law to build such wooden building.

Moving of buildings.

SECTION 36. No person except a licensed house mover shall remove or raise any building within the limits of such city of the first class, first [second?] grade; and every such person shall annually, before engaging in such occupation, obtain a license therefor from the city clerk, and no such license shall be granted until the party applying therefor shall have given a bond in the sum of one thousand dollars, with good and suf-

Licensing of house movers.

Bond.

ficient sureties, to be approved by the city solicitor, conditional among other things, that said party will pay any and all damages which may happen to any tree, pavement, street or sidewalk, or to any telegraph pole or wire belonging to said city, whether said damage or injury shall be inflicted by said party or his agents, employes or workmen; and conditioned also, that said party shall, will save and indemnify, and keep harmless, said city against all liabilities, judgments, damages, costs and expenses which may in anywise accrue against said city in consequence of the granting of such permit or license, and will in all things strictly comply with the conditions of his permit.

Certificate to move or raise building.

SECTION 37. Upon execution of said bond and its acceptance by the city solicitor, a license shall be issued, and the said licensed person shall, in each and every instance, before removing or raising any building, obtain a certificate so to do from the inspector, and shall pay to the city clerk a fee of two dollars, whereupon the city clerk shall issue a permit stating specifically all the conditions, prescribing the route to be taken, and limiting the time of removal.

Permit.

Theatres and public buildings.

SECTION 38. Every theater, opera house, concert hall, or building to be used for public entertainments (except churches), hereafter erected, altered or changed, shall have at least one front on the highway or public street, and in front there shall be suitable means of entrance and exit for the audience; an open space shall be reserved for the use of the audience in leaving the building, and for service in the event of fire, to be on two or three sides of the portion of the structure in which the auditorium and stage are placed. No portion of any building hereafter erected, altered, changed, or used, or to be used for any of the above purposes, shall be occupied or used for offices, a hotel, boarding or lodging house, factory, or for storage purposes, unless the same is completely isolated by brick walls, which shall pass through and above the roof at least two (2) feet; and no workshop or storage room for theatrical purposes shall be allowed above the auditorium. If the carpenter shops and property rooms for the storage of furniture and other accessories be provided for on the premises, they shall be separated from the other portions of the theater by means of fire-proof partitions and ceilings, and the painted scenery and other decorations, when not in use, shall be stored in a contiguous store room, but they shall be enclosed with fire-proof partitions, ceilings and floors, and no place in the building shall be used for the storage or sale of any article classified by insurance companies as hazardous or extra hazardous material. All ventilating shafts from the ceiling line shall be of fire-proof material, and shall pass at least four (4) feet above the roof. The roof over the stage shall have skylights or lanterns equal in area to at least one-tenth of said roof, and the whole shall be so arranged as to open instantly on the cutting or burning of a hempen cord, which shall be so arranged to hold said sky-

Theatres and public buildings.

light closed; or some other device in the judgment of the inspector may be used if equally as simple.

All seats in the auditorium, except those contained in the boxes, shall be firmly secured to the floors, and no seat in the auditorium shall have more than six (6) seats intervening between it and the aisle, and no obstruction shall be placed in any aisle or passage way. All aisles and passage ways in the auditorium shall be in proportion to the seating capacity. All doorways, passages, corridors, stairways shall be in proper proportion to the capacity of the house and the several parts of the same to which they lead and with which they communicate. Every auditorium accommodating three hundred persons shall have not less than two exits; when accommodating five hundred persons not less than three exits shall be provided; and no doorway of exit or entrance for the use of the public shall be less than six feet in width; and for every one hundred persons additional or portions thereof, to be accommodated in excess of five hundred persons, twenty inches additional exit capacity shall be allowed; all doors of exit or entrance shall open outwardly, and no such doors of exit or entrance shall be locked during any representation, or when the building is open to the public. Distinct and separate places of exit and entrance shall be provided for each gallery above the first floor. A common place of exit may serve for the main floor of the auditorium and the first gallery, the latter to be provided with two independent staircases. Not less than two independent staircases with direct exterior outlets shall be provided for galleries above the first gallery, and shall be located on the opposite sides of the same, and the latter staircases shall be inclosed up to the floor to which they lead. When straight stairs return directly upon themselves, a landing of the full width of both flights and of the depth of not less than once and a half the length of the steps shall be provided; stairs turning at an angle must have a proper landing without risers or winders at the turn. In stairs where two side flights connect with one main flight, the width of the main flight must be equal to the aggregate width of the side flights. The ceilings of the auditorium and of the corridors, passages, lobbies and staircases shall be lathed with iron or wire laths, or fire-proof tiling, and finished with three good coats of mortar or other incombustible material.

All inclosed staircases shall have on both sides a strong handrail, firmly secured to walls. No passage leading to any stairs or exit shall be less than the width of the stairs with which they communicate. The wall separating the stage from the auditorium, also the several division walls separating the auditorium from the vestibule or other apartments devoted to the use of the public, shall be constructed of brick or other fire-proof material. The wall between the stage and the auditorium shall be carried through and above the roof at least 24 inches, and doorways in said wall shall not exceed 21 superficial feet each, and shall have doors covered

on the stage side with sheet metal; said doors shall be self-closing. Partitions enclosing and separating dressing-rooms, and the ceilings of same, shall be covered with three coats of plaster or metal lathing, or shall be constructed with corrugated sheet iron or other fire-proof material. The proscenium or curtain opening of every theater shall have a curtain of fire resisting material. Such curtain shall be lowered at the beginning and end of each performance.

Theatrical scenery.

SECTION 38. All scenery shall be constructed of fire resisting material; said curtain and scenery shall, in their material, construction, and mechanism, be approved by the inspector. Gas-mains supplying any of the above named places shall have connections independent of the stage and auditorium; and proper provisions shall be made for cutting or shutting off the gas from the outside, contiguous to the premises. All stage lights shall have strong metal wire guards or screens of sufficient fineness, that materials coming in contact therewith shall not be in danger of the flames. Every exit shall have over the same, on the inside, the word "exit" painted in large letters not less than eight inches in length.

Gas mains.

Stage lights.

Exits.

Means of exit and entrance to churches.

SECTION 39. Any building, hall, or room hereafter erected and used for church purposes, seating 300 persons or over, shall have not less than two means of exit and entrance, with direct outdoor connections to same. All exit doors shall open outward. Stairways, lobbies, and doors shall be in proper proportion to the capacity of the church.

Stand pipes and water plugs required in certain buildings.

SECTION 40. Every building used for purposes of public entertainment, mentioned in the preceding section, shall have at least one stand-pipe and water-plug connected with the water pipes of the city, placed on the stage or platform in its immediate vicinity. The same shall be put in, under the direction and to the satisfaction of the fire marshal of said city, and hose with nozzle and stopcock shall be attached to such stand-pipe, and said hose shall be of sufficient length to extend to the farthest limit of such building, and shall be kept in good order and ready for use at all times. Every such building with accommodation for one thousand or more persons, also every building more than 80 feet high covering an area of more than five thousand superficial feet, shall have a proper 2½-inch metallic stand-pipe on the outside of the building accessible from street or alley, extending above the roof and so arranged that a fire engine hose can be attached. All hose and coupling shall conform to the size and pattern adopted by the fire department.

Cellars used for dwellings.

SECTION 41. Every cellar or any portion thereof occupied for dwelling purposes shall be at least 8 feet in height from floor to ceiling in every part thereof, and not less than 4 feet of the height shall be above the surface of the ground adjoining or nearest thereto; there shall also be an area provided across the entire frontage of same not less than 3 feet wide in every part, and said area shall begin six inches below the level of the floor of said cellar, and extend up to the surface of the ground. Every such cellar shall be properly drained,

and be provided with a flue or open fireplace with flue; and each apartment of such cellar shall have a window not less than nine square feet clear opening of frame provided with movable sash. Steps required as access to such cellar shall not cover said window, either in whole or in part.

Height of habitable rooms.

SECTION 42. Every habitable room hereafter constructed, except in the roof, shall be at least 7 feet high in the clear in every part of the same; and habitable rooms constructed in the roof of any building, shall be at least 7 feet high in clear for a space of one-half of the area of such room.

Light and air areas in tenements, hotels, etc.

SECTION 43. Every house designated to be used in whole or in part as a "tenement-house," "lodging" house or hotel, shall have a clear open space between the front and rear of such building and any other building, proportioned to the height of such building as follows: Between buildings one-story high, a space 10 feet wide; two stories high, a space 15 feet wide; three-stories high, a space 20 feet wide; buildings more than three stories high, a space 25 feet wide; and in every case the length of this space shall not be less than three-quarters the distance of the width of the buildings.

Ventilation of sleeping rooms.

SECTION 44. Every room in such building used as a sleeping-room, which does not communicate directly with the external air, shall have a movable window or transom-sash not less than three feet square, which shall open into an adjoining apartment which has direct communication with the external air.

Light and air shafts for habitable rooms.

SECTION 45. Light and air shafts for habitable rooms shall be at least twelve square feet in area for three-story houses and less; sixteen square feet in area for a four-story house, and twenty square feet in area for a five-story house, and never less than 3 feet wide in the clear. Shafts common to two houses shall be double the above areas.

Substitutes for water-closets.

SECTION 46. The construction and use of an earth-closet, desiccating-closet, or any contrivance for the reception and deodorization of fœcal matter as a substitute for a water-closet, is permitted, subject to the approval of the inspector as to location and construction of same.

Removal or repair of insecure buildings, etc.

SECTION 47. The owner or other party having an interest in any building, staging or other structure, or anything attached to or connected with a building or other structure, which shall be unsafe so as to endanger life, shall immediately, upon notice received from the inspector, cause the same to be made safe and secure, or taken down; and where the public safety requires immediate action the inspector may enter upon the premises with such assistants as may be necessary, and cause the said structure to be secured or taken down without delay, and the passers-by to be protected at the expense of such owner or party interested.

Public buildings for exhibitions, shows, etc.

SECTION 48. That whenever any person, firm, corporation, exposition commission, or the officers of such city, shall wish to erect public buildings for exhibitions, shows or for other purposes, and desire to use in the same plans and materials which do not conform to the requirements of this act, the

same may be authorized by the "board of improvements of such city," provided the plans and specifications for the same meet with the approval of the said inspector.

Unlawful to proceed without permit.

SECTION 49. That it shall be unlawful for any one, either as owner, agent, architect, contractor, superintendent or employe, to proceed in the work of placing materials upon or furnishing any labor in the construction of a new building or structure, or the alteration of an old building, in any city of the first class of the second grade, without first obtaining a permit therefor, and without conforming to all the requirements of this act.

Officers' right of entry into buildings, etc.

SECTION 50. All the officers appointed under this act, or any future amendments to the same, shall, so far as may be necessary for the performance of their respective duties, have the right to enter any building or premises in such cities of the first class, second grade.

Enforcement of foregoing provisions by injunction, etc.

SECTION 51. Any court having equity jurisdiction, in term time or vacation, may, on the application of the inspector, by any suitable process or decree in equity suit brought in the name of such city, enforce the provisions of this act, and may, on such application, issue an injunction to restrain the use or occupation of any building or structure in such city erected, altered, maintained or used in violation of this act.

Repeal.

SECTION 52. All other acts or sections of the Revised Statutes in conflict with this act be and the same are hereby repealed, so far as they may affect cities of the first class and second grade; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed in Senate April 16, 1888.

[Senate Bill No. 309.]

AN ACT

To amend section 1292*b* of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1292*b* be so amended as to read as follows:

Additional salaries of Franklin common pleas judges.

SEC. 1292*b*. The county commissioners of Franklin county, Ohio, may and they are hereby authorized to pay to the judges of the court of common pleas residing in Franklin county, each, in addition to the salary now paid said judges out of the state treasury, and so long as said judges shall continue to reside in said county, an amount out of the

treasury of Franklin county of not less than the sum of one thousand dollars nor more than the sum of fifteen hundred dollars annually, to be fixed by said commissioners of said county for each of said judges; and when such salary is once fixed it shall not be increased or diminished during the said term of office of such judge; the same to be paid at the same time and in like manner as provided by law for the payment of the salary of said judges out of the state treasury.

SECTION 2. Section 1292*b* is hereby repealed.

SECTION 3. This act shall take effect and be in force on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed in Senate April 16, 1888.

[Senate Bill No. 204.]

AN ACT

To amend section 5340 of the Revised Statutes of Ohio, as amended January 31, 1883 (80 v., p. 11).

Court of common pleas:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5340 of the Revised Statutes of Ohio, as amended January 31, 1883 (80 v., p. 11), be so amended as to read as follows:

When plaintiff must give security for costs.

The surety and his obligation.

Cash deposit as security.

SEC. 5340. The plaintiff, if a non-resident of the county in which the action is brought, or a partnership suing by its company name, or a corporation when insolvent, must furnish sufficient security for costs. The surety must be a resident of the county, and approved by the clerk, and his obligation shall be complete by indorsing the summons, or signing his name on the petition as surety for costs; he shall be bound for the payment of the costs which may be adjudged against the plaintiff in the court in which the action is brought, or in any other court to which it may be carried, and for all costs which may be taxed against the plaintiff in such action, whether he obtain judgment or not; but the plaintiff may deposit with the clerk of the court such sum of money as security for costs in the case, as, in the opinion of the clerk, will be sufficient for the purpose; and the court may, on motion of the defendant, and if satisfied that such deposit is not sufficient, require the same to be increased from time to time, so as to secure all costs that may accrue in the cause,

or personal security to be given; but nothing in this section shall be so construed as to require administrators or executors to give security for costs in any suit commenced or prosecuted by them in the county in which they have been appointed or qualified, and in which they have given bond as such executor or administrator.

Rule as to executors and administrators.

SECTION 2. Said original section 5340, as amended January 31, 1883 (80 v., p. 11), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 436].

AN ACT

Making appropriations for the last three-quarters of the fiscal year ending November 15, 1888, and the first quarter of the fiscal year ending February 15, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby are appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, the following sums for the purposes hereinafter specified, to-wit:

General appropriations.

Adjutant-General's Department:

Salary of assistant clerk, four hundred dollars ($400.00).

Salaries of four transcribing clerks, thirty-three hundred and seventy dollars ($3,370.00).

Salary of superintendent of state arsenal, ordnance clerk and book-keeper, nine hundred dollars ($900.00).

Contingent expenses and inspection, eleven hundred dollars ($1,100.00).

Repairs of state arsenal, two hundred dollars ($200.00).

Care of military stores and freight on arms, eight hundred dollars ($800.00).

For making soldiers' roster for publication, nine thousand dollars ($9,000.00).

For publishing roster Ohio troops, twenty-seven thousand seven hundred dollars ($27,700.00).

For expenses shipping roster Ohio troops, eight hundred dollars ($800).

For carpets and chairs, fifty dollars ($50.00).

For carpet, one hundred dollars ($100.00).

General appropriations.

Ohio National Guard:

Expenses court martial, one hundred dollars ($100.00).

Pay of Ohio national guard in camp, thirty-eight thousand two hundred and fifty dollars ($38,250.00).

Transportation Ohio national guard, ten thousand seven hundred and fifty dollars ($10,750.00).

Subsistence of Ohio national guard, fifteen thousand dollars ($15,000.00).

Incidental expenses of military companies, fourteen thousand one hundred dollars ($14,100.00).

Horse hire for batteries and mounted officers, four thousand five hundred dollars ($4,500.00).

Uniforms for Ohio national guard, twelve thousand five hundred dollars ($12,500.00).

Overcoats and blankets for Ohio national guard, four thousand dollars ($4,000.00).

For fuel, lumber, straw, and medical supplies, three thousand dollars ($3,000.00).

Forage for horses, eight hundred dollars ($800.00).

State House and Grounds:

Salary four regular laborers, two thousand dollars ($2,000.00).

Extra labor, fifteen hundred dollars ($1,500.00).

Material and repairs, eleven hundred dollars ($1,100.00).

Fuel for state house, seven hundred dollars ($700.00).

Water rent, five hundred dollars ($500.00).

Care and repair heating apparatus, seven hundred dollars ($700.00).

New bath tub, twenty dollars ($20.00).

One horse, one hundred and fifty dollars ($150.00).

No deficiencies shall be created in any of the funds of the adjutant-general's department, or the department of the Ohio national guard, or the state house and grounds, unless for expenditures approved by the governor.

Agriculture:

Encouragement of, forty-two hundred and thirty dollars ($4,230.00).

Contingent expenses of board of, six hundred dollars ($600.00).

Attorney-General:

Contingent expenses, three hundred dollars ($300.00).

Auditor of State:

Contingent expenses, eleven hundred dollars ($1,100.00).

Board of State Charities:

Expenses of board, twenty-six hundred dollars ($2,600.00). General appropriations.
Provided that the several benevolent and educational institutions of the state shall be exempted from the supervision of the secretary of this board, except when instructed by the governor.

Commissioner of Common Schools:

Traveling expenses of commissioner, five hundred dollars ($500.00).
Contingent expenses, four hundred and fifty dollars ($450.00).
For boxing and shipping reports, one hundred and fifty dollars ($150.00).

Board of Public Works:

For keeping in repairs the Miami and Erie canal, all of its earnings, except as below appropriated.
For keeping in repair and improvement of northern division of the Ohio canal, all of its earnings, and twenty-five thousand dollars ($25,000.00).
For keeping in repair and improvement of the southern division of the Ohio canal, all of its earnings, and forty thousand dollars ($40,000.00).
For keeping in repair the Hocking canal, all of its earnings, and two thousand dollars ($2,000.00).
For keeping in repair the Walhonding canal, all of its earnings.
Salaries of members of said board, eighteen hundred dollars ($1,800.00).
Salaries of engineers, twenty-seven hundred dollars ($2,700.00).
For traveling expenses of each of the members of the board of public works for the year, to be paid out of the earnings of the Miami and Erie canal, six hundred dollars ($600.00).
For salary of the secretary of the board of public works, to be paid out of the earnings of the Miami and Erie canal, fifteen hundred dollars ($1,500.00).
Contingent expenses, five hundred dollars ($500.00).
Attorneys' fees, two thousand dollars, to be paid out of the earnings of canals in which the services are rendered, on property reclaimed by the state ($2,000.00).
No deficiencies shall be created in any of the funds of the board of public works, unless for expenditures approved by the governor.

Commissioner of Railroads and Telegraphs:

General appropriations.

Compensation of experts to examine bridges, six hundred dollars ($600.00).
Expenses outside of office, two hundred dollars ($200.00).
Contingent expenses, two hundred and fifty dollars ($250.00).
Furniture, repairs and painting, one hundred dollars ($100.00).

Commissioner of Statistics of Labor:

Clerk hire, fourteen hundred dollars ($1,400.00).
Contingent expenses, sixteen hundred dollars ($1,600.00).
Traveling expenses, four hundred dollars ($400.00).
For desk, file case, and repairing furniture, seventy-five dollars ($75.00).

Executive Department:

Contingent expenses, clerk hire and newspapers, fifteen hundred dollars ($1,500.00).
For assistant executive clerk, twelve hundred dollars ($1,200.00).
Refurnishing and painting governor's office, and erecting partition across hall, fifteen hundred dollars ($1,500.00).

Inspector of Mines:

Contingent expenses of mine inspector, thirty-four hundred and fifty dollars ($3,450.00).
Clerk hire, three hundred dollars ($300.00).
Salary for nine and one-half months for two additional district inspectors, eighteen hundred dollars ($1,800.00).
Attorneys' fees, one hundred dollars ($100.00).

Inspector of Workshops and Factories:

Salary of district inspectors, twenty-one hundred and eighty-three dollars and one cent ($2,183.01).
Traveling expenses of district inspectors, eleven hundred dollars ($1,100.00).
Contingent expenses, four hundred and fifty dollars ($450.00).
Clerk hire, six hundred dollars ($600.00).
Furniture and repairs, fifty dollars ($50.00).

Law Library:

Contingent expenses, one hundred and fifty dollars ($150.00).
Furniture and repairs, fifty dollars ($50.00).
Books for law library, fifteen hundred dollars ($1,500.00).
Telephone, law library, sixty dollars ($60.00).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, thirty-five thousand dollars ($35,000.00). General appropriations.

For Frederick Blenkner, third assistant sergeant-at-arms of the house, for taking charge of the senate chamber and hall of the house and committee rooms after the adjournment of the general assembly in the spring of 1888, and taking care of the same until the meeting of the general assembly in January, 1889, and preparing the same for said meeting, and for taking charge of the bill-books and other property of the members as requested by them, one thousand dollars ($1,000), to be paid to him at the rate of four dollars ($4.00) per day, on the warrant of the auditor of state. For an assistant for said Frederick Blenkner, in the performance of the foregoing duties, at the rate of two dollars per day, when by him necessarily employed, four hundred dollars ($400), to be paid to said assistant on the warrant of the auditor of state ($1,400.00).

Contingent expenses of clerk of senate, fifty dollars ($50.00).

Contingent expenses of clerk of house, one hundred dollars ($100.00).

For chief clerks of the senate and house of representatives, one thousand dollars each ($1,000), for completing the record of the journals of the senate and house of representatives, for the present session. The money thus appropriated to be paid at the rate of five dollars per day, as the work of completing said record progresses; but the full amount shall not be paid until the work is fully completed; and the auditor of state is hereby authorized to draw his warrant, from time to time, on the treasurer of state in favor of said clerks, upon the presentation by them of proper vouchers, duly certified by said clerks to be correct, for such sum as may be therein designated, until the aforesaid sum of one thousand dollars to each shall have been fully paid ($2,000.00).

For senate contingent fund, one thousand dollars ($1,000.00).

For house contingent fund, one thousand dollars ($1,000.00).

[*Centennial Expositions:*]

In aid of the centennial celebration at Marietta, Ohio, beginning July 15, 1888, of the establishment of civil government in the territory northwest of the river Ohio, under the ordinance of 1787, the sum of seven thousand five hundred dollars ($7,500), to be paid to, and expended under the supervision of, the seven commissioners appointed by the governor under the provisions of senate joint resolution No. 28. Said commissioners shall keep an account of all sums expended, and make a report of such expenditures to the general assem-

General appropriations.

bly at its next session; and the auditor shall draw his warwants upon vouchers signed by not less than four of said commissioners.

For Ohio centennial exposition to be held in the city of Columbus, twenty thousand dollars ($20,000), to be paid to the state board of agriculture.

For the use of the honorary commissioners appointed by the governor of the state, in preparing a state exhibit in the centennial exposition of the Ohio valley and the central states, to be held in Cincinnati, beginning July 4, 1888, fifteen thousand dollars ($15,000), to be drawn upon the vouchers signed by a majority of the honorary commissioners, in such amounts, and at such times as may be required for the purpose for which this appropriation is made.

Ohio Intermediate Penitentiary:

For the erection of buildings, and prosecution of the work now under way, forty-thousand dollars ($40,000).

Meteorological Bureau:

Expenses of, two thousand dollars ($2,000).

Miami University:

Repair of buildings, three hundred dollars ($300.00).
Library, three hundred dollars ($300.00).
Salary of treasurer, three hundred dollars ($300.00).
Grounds, five hundred dollars ($500.00).
Apparatus, three hundred dollars ($300.00).
Printing, two hundred dollars ($200.00).
Expenses of trustees and salary and expenses of secretary, eight hundred dollars ($800.00).
Salaries, seventeen hundred and fifty dollars ($1,750.00).

Ohio Dairy and Food Commission:

Expenses of commissioner, four hundred and fifty dollars ($450.00).
Expenses of assistant commissioners, nine hundred dollars ($900.00).
Compensation of state chemist, eight hundred dollars ($800.00).

Ohio Penitentiary:

Per diem of managers, four thousand dollars ($4,000.00).
Salaries of officers, fourteen thousand dollars ($14,000.00).
Salaries of guards, fifty thousand dollars ($50,000.00).
Current expenses, fifty thousand dollars ($50,000.00).
Manufacture of gas, forty-five hundred dollars ($4,500.00).
Library, one hundred dollars ($100.00).
Rewards to convicts, eight thousand dollars ($8,000.00).
Water-works, one thousand dollars ($1,000.00).
Expenses attending executions, fifteen hundred dollars ($1,500.00).

Ordinary repairs, six thouaand dollars ($6,000.00).
Carpets, five hundred dollars ($500.00).
Horses and carriages, eight hundred dollars ($800.00).
Improvement of front yard, three hundred dollars ($300.00).
Improvement of streets inside prison walls, five hundred dollars ($500.00).
Furniture, two hundred dollars ($200.00).
Prosecution and transportation of convicts, sixty-seven thousand three hundred dollars ($67,300.00).
Improvement of lights, twelve hundred dollars ($1,200.00)
Market reports for steward, twenty-seven dollars ($27.00)

Ohio State University:

Ordinary repairs, twenty-five hundred dollars ($2,500.00).
Expenses of trustees, five hundred dollars ($500.00).
Improvement of campus, five hundred dollars ($500.00).
Fuel and care of buildings, two thousand dollars ($2,000.00).
Green-house, six hundred dollars ($600.00).
Centennial exhibits, five hundred dollars ($500.00).
Library, one thousand dollars ($1,000.00).
Salaries, ten thousand dollars ($10,000.00).
Extension gas mains, etc., five hundred dollars ($500.00).
Refunding amount spent in repairing tower, twenty-seven hundred and thirty five dollars ($2,735.00).
Appliances for teaching anatomy and physiology, one thousand dollars ($1,000.00).

Ohio University:

Additional apparatus, five hundred dollars ($500.00).
Expenses of trustees, one hundred dollars, ($100.00),
Current expenses and repairs, seven hundred dollars ($700.00).
Library and reading room, three hundred dollars ($300.00).
Salaries of teachers, three thousand dollars ($3,000.00).

Secretary of State:

Extra clerk hire, eight hundred and fifty dollars ($850.00).
Furniture, painting and repairs, three hundred dollars ($300.00).
Contingent expenses, one thousand dollars ($1,000.00).
Distribution of books, nine hundred dollars ($900.00).
Stationery, fifty-five hundred dollars ($5,500.00).
Printing paper, twenty-two thousand dollars ($22,000.00).
Book-case, two hundred and ten dollars ($210.00).
Carpets and rugs, three hundred and fifty dollars ($350.00), for carpets for two rooms.

State Library:

Books, magazines, and papers, fourteen hundred dollars ($1,400.00).
Contingent expenses, four hundred dollars ($400.00).
Salary of janitor, three hundred and eighty dollars ($380.00).

Superintendent of Insurance:

General appropriations.

Extra clerks, three hundred and fifty dollars ($350.00).
Salary of mailing clerk, two hundred dollars ($200.00).
Contingent expenses, fourteen hundred dollars ($1,400.00).

Supervisor of Public Printing:

State printing, twenty-five thousand dollars ($25,000.00).
State binding, twenty-four thousand dollars ($24,000.00).
New machinery for binding, three thousand dollars ($3,000.00).
Contingent expenses, two hundred dollars ($200.00).
Building repairs, five hundred dollars ($500.00).
For printing additional school laws, three hundred dollars ($300.00).

Supreme Court:

Contingent expenses, two hundred dollars ($200.00).
Salary of janitor of supreme court, two hundred dollars ($200.00).

Clerk of Supreme Court:

Extra clerk hire, five hundred and fifty dollars ($550.00).
Contingent expenses, two hundred dollars ($200.00).
File cases and shelving, one hundred dollars ($100.00).
Furniture and repairs, fifty dollars ($50.00).
For carpets, one hundred dollars ($100.00).

Reporter of Supreme Court:

Contingent expenses, seventy-five dollars ($75.00).

Treasurer of State:

Salary of two night watchmen, twelve hundred dollars ($1,200.00).
Contingent expenses, two hundred dollars ($200.00).
Collecting auditor of state's drafts, fifteen hundred dollars ($1,500.00).
Columbus district alarm telegraph, twenty-six dollars ($26.00).
Telephone, fifty dollars ($50.00).

Athens Asylum for the Insane:

Current expenses, eighty thousand dollars ($80,000.00).
Expenses of trustees, two hundred dollars ($200.00).
Books and pictures, one hundred and fifty dollars ($150.00).
Painting, twelve hundred dollars ($1,200.00).
Ordinary repairs, thirty-eight hundred dollars ($3,800.00).
Carpets and furniture, twenty-five hundred dollars ($2,500.00).
Repairing, plastering and cementing basement, one thousand dollars ($1,000.00).

Salaries of officers, forty-two hundred and thirty-five dollars and fourteen cents ($4,235.14).
Grading, eight hundred dollars ($800.00).
Fencing, three hundred dollars ($300.00).
Fire pump, pipe, hydrants and hose, three thousand dollars ($3,000.00).
Bath tubs and fixtures, five hundred dollars ($500.00).
Horses and carriages, four hundred dollars ($400.00).
For new boilers and fittings, forty-five hundred dollars ($4,500.00), and the old boiler.

Cleveland Asylum for the Insane:

Current expenses, seventy-three thousand dollars ($73,000.00).
Salaries of officers, thirty-nine hundred dollars ($3,900.00).
Ordinary repairs, three thousand dollars ($3,000.00).
Books and pictures, one hundred and fifty dollars ($150.00).
Horses, two hundred dollars ($200.00).
New furniture and repairing old, eight hundred dollars ($800.00).
Painting, one thousand dollars ($1,000.00).
Expenses of trustees, one hundred and fifty dollars ($150.00).
Fencing, five hundred dollars ($500.00).
Carpets, eight hundred dollars ($800.00).
For removing and rebuilding steam plant and rebuilding buildings destroyed by fire, the first story of main building to be so arranged that it can be used for general dining rooms, one hundred and twenty thousand dollars ($120,000.00).

Columbus Asylum for the Insane:

Current expenses, one hundred and five thousand dollars ($105,000).
Salaries of officers, forty-three hundred dollars ($4,300.00).
Ordinary repairs, six thousand dollars ($6,000.00).
Expenses of trustees, one hundred dollars ($100.00).
Grading, five hundred dollars ($500.00).
Fencing, two hundred dollars ($200.00).
Painting wards, eight hundred dollars ($800.00).
Library, two hundred dollars ($200.00).
Repair of gas works, four hundred dollars ($400.00).
Furniture and bedding, five hundred dollars ($500.00).
Carpets, eight hundred dollars ($800.00).
Repair of boilers, eight hundred dollars ($800.00).
Harness and buggy, two hundred dollars ($200.00).
Tiling for wet low lands, three hundred dollars ($300.00).
New water heater, one thousand dollars ($1,000.00).
Repair of Russell conservatory and new propagating house, five hundred dollars ($500.00).

Dayton Asylum for the Insane:

General appropriations.

Current expenses, seventy-one thousand dollars ($71,000.00).
Salaries of officers, thirty-eight hundred dollars ($3,800.00).
Ordinary repairs, thirty-five hundred dollars ($3,500.00).
Expenses of trustees, one hundred dollars ($100.00).
Books and pictures, one hundred and fifty dollars ($150.00).
Carpets and furniture, one thousand dollars ($1,000.00).
Painting, eight hundred dollars ($800.00).
Horses and cows, three hundred and fifty dollars ($350.00).
Rent of pasture, one hundred and sixty dollars ($160.00).
Fencing, three hundred dollars ($300.00).
Addition to cow-barn, five hundred dollars ($500.00).
Machinery for laundry and kitchen, two thousand dollars ($2,000.00).
For laundry building, three thousand dollars ($3,000.00).

North-Western Hospital for the Insane:

Care of inmates, subject to contract, nineteen thousand eight hundred and ninety dollars ($19,890.00).

Toledo Asylum for the Insane:

Current expenses, one hundred and ten thousand dollars ($110,000.00).
For purchase of fifteen acres of land, forty-five hundred dollars ($4,500.00).
Salaries of officers, twenty-four hundred and fifty dollars ($2,450.00).
Expenses of trustees, five hundred dollars ($500.00).
Ordinary repairs, three thousand dollars ($3,000.00).
Painting, five hundred dollars ($500.00).
Surgical and other instruments, two hundred dollars ($200.00).
Repair shops and tools, eighteen hundred dollars ($1,800.00).
Barn, stable and hog pens, twenty-five hundred dollars ($2,500.00).
Fencing, one thousand dollars ($1,000.00).
Bath-house, fifteen hundred dollars ($1,500.00).
Wagon scales, three hundred dollars ($300.00).
Grading and shrubbery, one thousand dollars ($1,000.00).
Water-wells, pumps and connections to buildings, two thousand dollars ($2,000.00).
Furniture and furnishing, ten thousand dollars ($10,000.00).
To pay superintendent for superintending construction and furnishing, two thousand dollars ($2,000.00).
Farm and garden implements, five hundred dollars ($500.00).
And there is hereby appropriated the following sums which have lapsed or will lapse by constitutional limit:

For bath-house, nine hundred and forty-nine dollars and ninety-eight cents ($949.98).

For railroad track, fourteen hundred and nineteen dollars and twenty-three cents ($1,419.23).

For electric light, sixty-two hundred and thirteen dollars and ninety cents ($6,213.90).

Erection of asylum, three hundred and sixty-two dollars and two cents ($362.02).

For covered ways, fourteen hundred aud fifty-five dollars and forty-four cents ($1,455.44).

For industrial building, seven thousand dollars ($7,000.00).

Longview Asylum for the Insane:

Current expenses, ninety-five thousand dollars ($95,000.00). This sum is for the support of the insane in said institution, and shall be paid into the county treasury of Hamilton county, monthly, as may be necessary in payment of the current expenses of said institution. Requisitions shall be made by the directors of said asylum upon the auditor of Hamilton county, and copies thereof furnished to the auditor of state, whereupon he shall issue his warrant upon the state treasurer in favor of the treasurer of Hamilton county for such amounts, and said appropriation shall discharge the state from all legal and equitable obligations to said institution for the year commencing February 15, 1888, and ending February 15, 1889.

Boys' Industrial School:

Current expenses, twenty-six thousand dollars ($26,000.00).

Salaries, nineteen thousand dollars ($19,000.00).

Expenses of trustees, two hundred dollars ($200.00).

Ordinary repairs, twenty-three hundred dollars ($2,300.00).

For boiler repairs, seven hundred dollars ($700.00).

Gravel on roads, five hundred dollars ($500.00).

Furniture and carpets, five hundred dollars ($500.00).

Machinery, tools and raw material, one thousand dollars ($1,000.00).

Cementing basements, laundry and kitchen floor, five hundred dollars ($500.00).

Enlarging boys' kitchen and adding cooking apparatus, eight hundred dollars ($800.00).

Outside painting, seven hundred dollars ($700.00).

Books and pictures, two hundred dollars ($200.00).

Horses, six hundred dollars, ($600.00).

Cows, two hundred dollars ($200.00).

One buggy, one hundred and seventy-five dollars ($175.00).

Blacksmith shop, two hundred dollars ($200.00).

The balance of appropriations made in 1887 for completing bath-house and blacksmith shop is hereby transferred into a fund for changing new blacksmith shop into bath-house and carpenter shop, and there is hereby reappropriated for water supply, thirty-eight hundred dollars ($3,800.00).

Girls' Industrial Home:

General appropriations.

Current expenses, five thousand dollars ($5,000.00).

Salaries, twelve thousand three hundred and seventy-three dollars and six cents ($12,373.06).

To defray expenses of matron in visiting discharged pupils, two hundred dollars ($200.00).

Expenses of trustees, three hundred dollars ($300.00).

Furniture and carpets, nine hundred dollars ($900.00).

Telephone, two hundred dollars ($200.00).

Ordinary repairs, two thousand dollars, ($2,000.00).

Steam-heating, new building, one thousand dollars ($1,000).

Musical instrument for chapel, one hundred and fifty dollars ($150.00).

Furnishing new building, one thousand dollars ($1,000.00).

Grading, paving and improving grounds, new building, two hundred dollars ($200.00).

Furniture for new hospital, five hundred dollars ($500.00).

Furnishing school room, three hundred dollars ($300.00).

And there is hereby re-appropriated the following sums which have lapsed or will lapse by constitutional limit:

For expenses of lady visitors, one hundred and eighteen dollars ($118.00).

For new family building, four hundred dollars ($400.00).

For grading, paving and improving grounds, six hundred dollars ($600.00).

Institution for the Blind:

Current expenses, twenty-six thousand dollars ($26,000.00).

Salaries of officers and teachers, nine thousand three hundred and thirty dollars and sixty cents ($9,330.60).

Ordinary repairs, nine hundred dollars ($900.00).

Books, school apparatus and musical instruments, twenty-three hundred dollars ($2,300.00).

Carpets, bedding and furniture, seven hundred dollars ($700.00).

Painting, varnishing and papering, eight hundred dollars ($800.00).

Steam pipe and heating apparatus, nine hundred dollars ($900.00).

Expenses of trustees, six hundred and fifty dollars ($650.00).

Care of grounds, five hundred dollars ($500.00).

Refrigerater room, eight hundred dollars ($800.00).

Institution for the Deaf and Dumb:

Current expenses, forty thousand dollars ($40,000.00).

Salaries of officers and teachers, eighteen thousand nine hundred dollars ($18,900.00).

Ordinary repairs, twenty-five hundred dollars ($2,500.00).

Expenses of trustees, four hundred dollars ($400.00).

Paints, oils and varnish, eight hundred dollars ($800.00).
Furniture and carpets, five hundred dollars ($500.00).
Salary of foreman of carpenter's shop, five hundred dollars ($500.00).
Salary of foreman of shoe shop, five hundred dollars ($500.00).
Salary of foreman of printing office, five hundred dollars ($500.00).
Supplies for carpenter shop, one hundred dollars ($100.00).
Supplies for shoe shop, eight hundred dollars ($800.00).
Supplies for printing office, two hundred dollars ($200.00).
Lumber and nails for boxes for state department, four hundred dollars ($400.00).
Sinking new well in engine house, two hundred and fifty dollars ($250.00).
New job press, three hundred and fifty dollars ($350.00).
New boilers, five thousand dollars, and proceeds of sale of old boilers ($5,000.00).
For tailor shops and supplies, five hundred dollars ($500.00).

Institution for Feeble-minded Youth:

Current expenses, sixty thousand dollars ($60,000.00).
Ordinary repairs, four thousand dollars ($4,000.00).
Expenses of trustees, two hundred and fifty dollars ($250.00).
Salaries of officers and teachers, ten thousand four hundred dollars ($10,400.00).
Furniture and carpets, five thousand dollars ($5,000.00).
Ice house, two thousand dollars ($2,000.00).
For cattle purchased, sixteen hundred and twenty-four dollars and fifty-six cents ($1,624.56).
And there is hereby re-appropriated for the purpose of paying for horses, mules and wagons, twenty hundred and eighty-seven dollars and forty-seven cents ($2,087.47).

Ohio Soldiers' and Sailors' Home:

Construction, furnishing buildings and maintenance of officers and inmates, one hundred and ten thousand dollars ($110,000.00).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, sixty-one thousand dollars ($61,000.00).
Salaries of officers and teachers, twelve thousand dollars ($12,000.00).
Industrial pursuits, two thousand dollars ($2,000.00).
Ordinary repairs, three thousand dollars ($3,000.00).
Expenses of trustees, two hundred dollars ($200.00).
Net earnings, seven hundred dollars ($700.00).
Library, one hundred dollars ($100.00).
Support of children of indigent soldiers, twelve thousand dollars ($12 000.00).
Laundry, two hundred and fifty dollars ($250.00).

General appropriations.

Board walks, one hundred and fifty dollars ($150.00).

For new building, and enlarging others, twenty-five thousand dollars ($25,000.00); and the board of trustees are hereby authorized to use, in the purchase of sixteen acres of land, not to exceed thirty-two hundred dollars ($3,200.00) of the above sum, if they desire.

Furniture and carpets, one thousand dollars ($1,000.00).

Visiting county homes, twenty-five dollars ($25.00).

Heating and furnishing new industrial building, three hundred dollars ($300.00).

Salaries foremen industrial pursuits, thirty-nine hundred dollars ($3,900.00).

Ventilating cottages and hospital, five hundred dollars ($500.00).

New boiler, eight hundred dollars ($800.00).

Working Home for the Blind:

Current expenses, two thousand dollars ($2,000.00).

Expenses of trustees, three hundred dollars ($300.00).

Fish and Game Commission:

Fish propagation and remodeling hatchery, two thousand five hundred dollars ($2,500.00).

Prosecution of violators of fish and game laws, one thousand dollars ($1,000.00).

To be paid out on vouchers approved by the commission.

Miscellaneous.

For payment for the restoration of the hand of General U. S. Grant's statuette in the rotunda of the state house, and for protecting the entire work, one hundred dollars ($100.00).

Board of live-stock commission, four thousand dollars ($4,000.00).

Ohio state forestry bureau, fifteen hundred dollars ($1,500.00).

State board of health, four thousand dollars ($4,000.00).

Prosecution of war claims against the general government, two thousand dollars ($2,000.00).

Pension of family of J. P. Brush, one hundred and twenty dollars ($120.00).

For combined normal and industrial department at Wilberforce university, four thousand dollars ($4,000.00).

For removing and placing the water closets of the house of representatives across the east end of the south-west court of the state house, adding two additional closets, putting in new fixtures, and for fixing the desks of the members of this house, all to be done under the supervision of Frederick Blenkner, third assistant sergeant-at-arms, said work, etc., to be paid for on vouchers approved by him. A full itemized statement of the cost of said work, etc., shall be submitted by him to the adjourned session of the 68th general assembly, eleven hundred and fifty dollars ($1,150.00).

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1888, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid. General appropriations.

SECTION 3. In addition to the several appropriations made for the institutions for the insane, blind, deaf and dumb, and feeble-minded youth, the girls' industrial home, the boys' industrial school, and soldiers' and sailors' orphans' home, there is hereby appropriated for the use of said institutions any moneys received from sources other than the state treasury by their respective financial officers, which moneys shall be credited to the current expense funds of said institutions respectively.

SECTION 4. No bills for clerk hire, for furniture or carpets, or for newspapers, shall be paid out of appropriations made for contingent expenses, or for salaries of the secretaries of the boards of trustees of any state institution; and no money herein appropriated shall be drawn except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or the material furnished and the date of purchase and the time of service; and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 773].

AN ACT

To amend section 4 of an act entitled "an act making appropriations for the last three-quarters of the fiscal year ending November 15, 1888, and the first-quarter of the fiscal year ending February 15, 1889," passed April 16, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of an act entitled "an act making appropriations for the last three-quarters of the fiscal year ending November 15, 1888, and the first-quarter of the fiscal year ending February 15, 1889," passed and took effect April 16, 1888, be amended so as to read as follows: Amending act making general appropriations.

Forbidding payment of certain bills from certain funds.

SEC. 4. No bills for clerk hire, for furniture or carpets or for newspapers shall be paid out of appropriations made for contingent expenses; no bills for horses or cows, carriages or wagons, carpets or furniture or any expenses for officers attending state, inter-state or national associations of benevolent institutions, shall be paid out of appropriations made for the current expenses of said institution; and no money herein appropriated shall be drawn, except on a requisition on the auditor of state, approved by the head of each department, or the trustees of the institution, which shall set forth the service rendered or the material furnished and the date of purchase and the time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

Moneys, how drawn.

Duty of auditor.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 16, 1888.

[House Bill No. 288].

AN ACT

To amend section 6961 of the Revised Statutes of Ohio, as amended May 4, 1885, May 17, 1886, and March 21, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6961 be so amended as to read as follows:

Unlawful killing or catching of game.

SEC. 6961. No person shall, on any place, catch, kill or injure, or pursue with such intent, any quail, except between the tenth day of November and the fifteenth day of December, inclusive; [or] any squirrel, except between the first day of June and the fifteenth day of December, inclusive; or any woodcock, except between the fifteenth day of July and the first day of November, inclusive; or any ruffled [ruffed?] grouse, or pheasant, or prairie chicken, or any wild duck, except between the first day of September and the fifteenth day of December, inclusive; or any wild turkey, except between the first day of October and the fifteenth day of December, inclusive; or catch, or trap, or snare at any time, any quail of [or?] Virginia partridge; or upon any bog, estuary, marsh, mud-flat, or river, or any cover to which wild fowl resort, by the aid of any swivel or punt-gun, or any other gun than a common shoulder gun, or with or by the aid of any artificial light, or with the aid of, or from any sink-boat or battery, or with any

trap or net, kill, or wound, or catch, or pursue with such intent, any wild goose, or brant, or wild duck, or any other water fowl, or destroy or disturb the eggs or nests of any birds named in this section, excepting in the waters of Lake Erie, and the estuaries and bays thereof; no person shall in any place catch, or kill, or injure, or pursue with such intent, any wild duck on Sunday, Monday or Tuesday of any week, between the first day of September and the fifteenth day of December of any year; provided, that nothing herein shall be construed to authorize the catching or killing, or pursuing with such intent, any wild duck on Sunday. No person shall shoot, or hunt, or trap any birds or game, or have in possession in the open air for such purpose the implements for the shooting, hunting or trapping of the same, on the first day of the week, called Sunday. No person shall buy, sell or offer for sale, or convey or ship beyond the boundaries of this state, any game killed or captured contrary to the provisions of this section. And any person convicted of any violations of any of the provisions of this act shall be guilty of a misdemeanor, and on conviction punished as hereinafter provided in section 6968. It shall be the duty of prosecuting-attorneys to prosecute all violations of this section in their respective counties.

Unlawful killing or catching of game.

SECTION 2. That section 6961 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 16, 1888.

[House Bill No. 483].

AN ACT

To authorize the Ohio state board of agriculture to issue bonds for fair ground improvement and to aid the Ohio centennial exposition.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Ohio state board of agriculture be and is hereby authorized to issue bonds, not to exceed in the aggregate the sum of fifty thousand dollars, or so much of this sum as they may deem necessary, to aid the Ohio centennial commissioners in erecting buildings on the state fair grounds, a portion of which buildings shall be permanent structures necessary for the annual state fair, and all for the use of the Ohio centennial exposition.

State Board of Agriculture authorized to issue bonds to aid the Ohio centennial commissioners.

Time of payment; interest.

SECTION 2. Said bonds shall be payable on the first day of January, 1889, and shall bear interest.

Mortgage.

SECTION 3. The said state board of agriculture, if they deem it necessary, may secure the payment of said bonds and interest by a mortgage of its real estate with the improvements thereon.

Proceeds to be paid into state treasury.

How drawn out.

SECTION 4. The money received from the sale of said bonds shall be placed in the state treasury to the credit of the board of directors of the Ohio centennial exposition, and may be drawn by the treasurer of said board on vouchers approved by the governor; and the first receipts of said exposition, over and above the actual running expenses, to the amount of the debt incurred under the provisions of this act, shall be paid into the state treasury to the credit of the state board of agriculture for the purpose of paying the bonds and interest herein authorized. The balance of said receipts shall be placed to the credit of the agricultural fund as provided for in house joint resolution No. 8, adopted March 12, 1886 (O. L., vol. 83, p. 403).

Net receipts of said exposition to be applied to the payment of said bonds.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 599].

AN ACT

To authorize the board of public works to sell a certain lot of land in the city of Chillicothe, Ross county.

Board of public works authorized to sell a certain lot in Chillicothe.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works of the state of Ohio are hereby authorized to sell the following described premises, situate in said city of Chillicothe and known as [all that] part of out-lot No. 4, which lies west of the Ohio canal, and which was conveyed to the state by James Johnson and wife, by deed bearing date March 9th, 1883 [1833?]. and recorded in deed records, book No. 27, page 284, excepting therefrom for the use of the state the legal width of the berme-bank, and for the use of any lawful owner the buildings and improvements thereon.

Appraisement.

SECTION 2. In the event the board decides to sell said premises, the commissioners provided for by an act passed March 28, 1888, creating canal commissioners, shall proceed to appraise said premises at its true value in money.

and report the appraised value thereof to the board of public works.

SECTION 3. After receiving the appraisement the board shall advertise to sell the same at public sale for three consecutive weeks in two newspapers of opposite politics having a general circulation in said city; and the same shall not be sold for less than two-thirds of their appraised value, one-third cash on day of sale, balance payable in two equal annual payments, to be on 6 per cent. interest payable annually, or the purchaser may pay the entire amount in cash; the proceeds arising from said sale shall be paid into the state treasury to the credit of the canal fund, and the expenses incurred in making said sale shall be paid on the order of the said commission out of the canal fund on the warrant of the auditor of state. Sale. Application of proceeds. Expenses of sale.

SECTION 4. When all of said payments are made, the governor is hereby authorized to make a good and sufficient deed for the same to the purchaser or his assigns. Deed.

SECTION 5. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 163].

AN ACT

To amend sections 302, 303 and 306 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 302, 303 and 306 of the Revised Statutes of Ohio be and the same are hereby amended so as to read as follows: Mines:

SEC. 302. No boy under twelve years of age shall be allowed to work in any mine, nor any minor between the ages of twelve and sixteen years unless he can read and write; and in all cases of minors applying for work, the agent of such mine shall see that the provisions of this section are not violated; and the mine inspector may, where doubt exists as to the age of any minors found working in any mine, qualify the said minor or his parents as to his age. Employment of minors.

SEC. 303. In case any coal mine does not, in appliances for the safety of the persons working therein, conform to the provisions of this chapter, or the owner or agent disregards the requirements of this chapter, any court of competent jurisdiction may, on application of the inspector, by civil Action for non-compliance with statutes.

action in the name of the state, enjoin or restrain the owner or agent from working or operating such mine until it is made to conform to the provisions of this chapter; and such remedy shall be cumulative, and shall not take the place of or affect any other proceedings against such owner or agent authorized by law for the matter complained of in such action.

Mines to which certain statutes do not apply.

SEC. 306. The provisions of this chapter shall not apply to or affect any coal mine in which not more than ten men are employed at the same time; but the inspector shall at all times have free ingress to such mines for the purpose of examination and inspection, and shall direct and enforce any regulations in accordance with provisions of this chapter that he may deem necessary for the safety of the health and lives of the miners employed therein.

SECTION 2. This act shall take effect and be in force from and after its passage; and sections 302, 303 and 306 are hereby repealed.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 768].

AN ACT

Making appropriation for a purpose specified therein.

Appropriation for centennial reception committee.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated, from any money in the state treasury not otherwise appropriated, the sum of five thousand dollars, to pay expenses incurred by the commission appointed in pursuance of house joint resolution No. 25, the total expenses of which shall not exceed the sum herein named, which shall be paid out upon warrants of the auditor of state, upon vouchers certified as correct by the president and secretary of said commission.

SECTION 2. This act shall take effect upon its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 328].

AN ACT

To amend section 2 of an act entitled "an act making appropriations for the last three quarters of the fiscal year ending November 15, 1888, and the first quarter of the fiscal year ending February 15, 1889," passed and took effect April 16, 1888.

Amending act making general appropriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of an act entitled "an act making appropriations for the last three quarters of the fiscal year ending November 15, 1888, and the first quarter of the fiscal year ending February 15, 1889," passed and took effect April 16, 1888, be amended so as to read as follows:

SECTION 2. The moneys appropriated in the last preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1888, except the sum appropriated for refunding to the Ohio State university, the amount spent in repairing the tower, nor shall they be used or paid only for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. Said section two of said act of April 16, 1888, is hereby repealed, and this act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 163].

AN ACT

To amend section 1090 of the Revised Statutes of Ohio.

Payment of taxes:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1090 of the Revised Statutes of Ohio be amended to read as follows:

Receipts shall be given; what to contain.

SEC. 1090. The county treasurer, or his deputy, when any tax is paid, shall give to the person paying the same a receipt therefor, specifying therein the land, lot or property on which such tax was assessed according to its description on the duplicate, or in some other sufficient manner, which receipt shall be ruled in columns, setting forth in the first a description of each item of property, in the second the value thereof, in the third the rate of the tax upon each item, ex-

pressed in mills and fractions, if any, and in the fourth, the amount of tax on each of said items; but such form may be departed from, so far as may be necessary, as to assessments and special taxes, and where the tax due on any item embraces a penalty or delinquency; and such receipt shall, as to personal estate, be of like form, omitting the description of the property; and where any penalty is added and charged by the treasurer, the same shall be included in such receipt, and the amount of such penalty, and the fact that the same is a penalty, shall be fully, plainly and separately stated in writing upon the face of such receipt; and any county treasurer, who knowingly issues, or permits to be issued, a receipt for taxes in violation of the requirements of this section. shall be liable to a penalty of twenty-five dollars, to be recovered in the name and for the benefit of the person to whom such unlawful receipt is issued.

Receipts for assessments, special taxes, penalties or delinquencies.

Penalties, how receipted for.

Penalty for violation of this section.

SECTION 2. That original section 1090 of the Revised Statutes is hereby repealed; and this act shall take effect on the first Monday of October, 1888; but tax receipts for taxes on the 1887 and 1888 duplicates may be used without conforming the same to the above requirements, except as to penalty added by the treasurer.

Taking effect.

Receipts for taxes on duplicates of 1887 and 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 93].

AN ACT

To amend section 2805 of the Revised Statutes of Ohio, as amended May 19, 1886 (83 v., 234).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2805 of the Revised Statutes of Ohio, as amended May 19, 1886, be amended so as to read as follows:

Annual city boards of equalization:

SEC. 2805. In each city of the first and second class there shall be an annual board for the equalization of the value of real and personal property, moneys and credits in such city, to be composed of the county auditor and six citizens of such city, appointed by the council thereof; the first appointments to be, two for one year, two for two years, and two for three years, except in cities in which such boards are already organized, when two shall be appointed for three years, and two thereafter shall be annually appointed for three years,

How constituted and organized.

and all vacancies shall be filled for the unexpired term; provided, that the provisions of this act shall not affect any person or persons heretofore appointed and now in office during the time for which they shall have been appointed; said board shall be governed by the rules, provisions and limitations prescribed in the next preceding section for the annual county board; each member of said board is authorized to administer oaths; and said board is empowered to equalize the value of real and personal property, moneys, and credits within such city, and shall annually meet at the office of the county auditor on the fourth Monday of May, except in cities of the first and second grade of the first class, when it shall meet on the fourth Monday in May, and shall close its sessions on or before the second Monday of September; except that in cities of the first grade of the first class said board shall in the year 1886 meet on the third Monday of June, and shall close its sessions on or before the first Monday of September; in cities of the third grade of the first class and cities of the first and second grades of the second class, and cities having a population of 20,000 and over by the last federal census, and which have not been by ordinance advanced to a city of the second grade, second class, said board shall close its sessions on or before the first Monday of August; and in cities of the third and fourth grades of the second class said board shall close its sessions on or before the fourth Monday of June then next following. For each day necessarily employed in the performance of their duties the members of said board shall each receive, in cities of the first class, and in the first and second grades of the second class, and in cities having a population of twenty thousand and over, ascertained as aforesaid, and which have not been advanced to a city of the second grade, second class, the sum of five dollars per day, and in cities of the third and fourth grades of the second class the sum of three dollars per day; and in cities of the third and fourth grades in the second class, not county seats, the members of such boards shall receive, in addition to the sum of three dollars per day, ten (10) cents per mile travelling expenses going to the said county seat; and in cities of the first class, first grade, the auditor shall receive no compensation as a member of the board, but the board may appoint all necessary messengers and clerks, not exceeding six of each, who shall receive three dollars per day for their services for the time actually employed, which shall be paid out of the county treasury.

Vacancies; persons now in office.

Regulations.

Oaths; duties; time of meeting; close of session.

Compensation.

SECTION 2. Said original section 2805 of the Revised Statutes, as amended May 19, 1886, is hereby repealed, and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 115].

AN ACT

To amend sections 4065, 4066, 4068, 4069, 4073, 4074, 4077, 4078, 4080 and 4081 of the Revised Statutes of Ohio, relative to state, county and city school examinations.

School examiners:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4065, 4066, 4068, 4069, 4073, 4074, 4077, 4078, 4080 and 4081 of the Revised Statutes of Ohio be amended so as to read as follows:

State board: their appointment; terms; vacancies.

SEC. 4065. There shall be a state board of examiners, which shall consist of five competent persons, resident[s] of the state, to be appointed by the state commissioner of common schools, not more than three of whom shall belong to the same political party. The term of office of such examiners shall be five years; the term of one of the examiners shall expire on the 31st day of August, each year, and when one of which shall expire on the 31st day of August every year, and when a vacancy occurs in the board, whether from expiration of the term of office, refusal to serve, or other cause, the commissioner shall fill the same by appointment for the full or unexpired term, as the case demands.

Power to issue three grades of life certificates.

SEC. 4066. The board thus constituted may issue three grades of life certificates to such as are found to possess the requisite scholarship, and who exhibit satisfactory evidence of good moral character and of professional experience and ability; the certificate shall be for different grades of schools according to branches taught, and shall be valid in the schools specified therein. The clerk of the board shall keep a record of the proceedings, showing the number, date and grade of each certificate, to whom granted, and for what branches of study, and shall report such statistics to the commissioner, annually, on or before the 31st day of August.

Record thereof.

Examination fees: their disposition.

SEC. 4068. Each applicant for a certificate shall pay to the board of examiners a fee of five dollars; and the clerk of the board shall pay to the state treasurer all fees received, and file with the state auditor a written statement of the amount.

Compensation of members.

Each member of the board shall be entitled to receive five dollars for each day he is necessarily engaged in official service, and also six cents per mile each way for traveling from and to his place of residence, by the most direct route of public travel to and from the places of meetings of the board, to be paid out of the state treasury on the order of the state auditor; all books, blanks and stationery required by the board shall be furnished by the secretary of state.

Stationery.

County boards: appointment, term and vacancies.

SEC. 4069. There shall be a board of examiners for each county, which shall consist of three competent persons, to be appointed by the probate judge; such persons shall be residents of the county for which they are appointed, and shall not be connected with or interested in any normal school or schools for the special education or training of persons for teachers; if an examiner becomes connected with or interested in any such school, his office shall become vacant there-

by; the term of office of such examiners shall be three years; the term of one of the examiners shall expire on the 31st day of August each year; but the probate judge may revoke the appointment of any examiner upon satisfactory proof that he is inefficient, negligent or guilty of immoral conduct; when a vacancy occurs in the board, whether from expiration of the term of office, refusal to serve, or other cause, the probate judge shall fill the same by appointment for the full or unexpired term, as the case demands; and within ten days after an appointment, the probate judge shall report to the commissioner of common schools the name and post-office of the appointee, and whether the appointment is for a full or unexpired term; and no person shall be appointed to the position or exercise the office of state, county, city or village examiner of teachers who is the agent of or is interested in any book-publishing or book-selling firm, company or business.

Removals.

Notice of appointments.

Disqualifications.

SEC. 4073. The board may grant certificates for one, two and three years from the day of examination, which shall be valid in the county wherein they are issued, except in city and village district[s] that have boards of examiners, in which they shall not be valid, and the examiners may grant certificates for five years to such applicants as, in addition to the necessary qualifications, have been for three years next preceding their application engaged in teaching, twelve months of which experience shall have been in one place; and such certificate for five years shall be renewable upon the same conditions but without examination, at the discretion of the examining board; and if at any time the recipient of a certificate be found intemperate, immoral, incompetent or negligent, the examiners, or any two of them may revoke the certificate; but such revocation shall not prevent a teacher from receiving pay for services previously rendered; and when any recipient of a certificate is charged with intemperance or other immorality, the examining board shall have power to send for witnesses and examine them on oath or affirmation touching the matter under investigation. The fees and other expenses of such trial shall be certified to the county auditor by the clerk and president of the examining board, and paid out of the county treasury upon the order of the auditor.

Granting and revocation of certificates.

Investigation of teachers; expenses.

SEC. 4074. No person shall be employed as teacher in a common school who has not obtained from a board of examiners, having competent jurisdiction, a certificate of good moral character, and that he or she is qualified to teach orthography, reading, writing, arithmetic, geography, English grammar and the history of the United States, and possesses an adequate knowledge of the theory and practice of teaching, and, if required to teach other branches, that he or she has the requisite qualifications; but persons who desire or are expected to teach only special studies, such as music, drawing, painting, penmanship, gymnastics, German or French, or any one of them, or the primary department in any graded school, may be examined in regard to such study or studies above men-

Certificate a prerequisite to employment of teachers.

Certificate to teach special studies.

tioned, or with special reference to their qualifications to teach in such primary department only, and having obtained a certificate of qualification therein, and of good moral character, may be employed to teach such study or studies, or in such primary department; provided, that after January 1st, 1889, no person shall be employed as a teacher in any common school, who has not obtained from such board of examiners a certificate that he is qualified to teach physiology and hygiene.

Physiology and hygiene.

Boards of city districts of first class.

SEC. 4077. There shall be a board of examiners for each city district of the first class, to be appointed by the board of education of the district; such board may consist of either three or six persons, as the board of education may determine, and the persons appointed shall have had at least five years practical experience in teaching, and shall otherwise be competent for the position, and residents of the district for which they are appointed; the term of office of such examiners shall be three years; the term of one-third of the examiners shall expire on the 31st of August each year; but the board of education may revoke any appointment, upon satisfactory proof that the appointee is inefficient, negligent, or guilty of immoral conduct; when a vacancy occurs in the board, whether from expiration of term of office, refusal to serve, or other cause, the board of education shall fill the same by appointment for the full or unexpired term, as the case demands; and within ten days after an appointment, the clerk of the board of education shall report to the commissioner of common schools the name of the appointee, and whether the appointment is for a full or an unexpired term.

Standard of qualification for teachers; examinations of schools.

Law governing board in examining teachers.

Special examiners.

Their oath.

Duty of school superintendents.

SEC. 4708 [4078?]. Such board of examiners shall determine the standard of qualification for teachers, and may examine any school in the district when such examination is deemed necessary to ascertain a teacher's qualifications; but in the examination of applicants and the granting of certificates, the board shall be governed by the provisions of section forty hundred and seventy-four; and to secure a thorough examination of applicants in difficult branches or special studies, the board may secure the assistance, temporarily, of persons of sufficient knowledge in such branches or studies, who shall promise on oath or affirmation, to be administered by the clerk of the board of examiners, to perform the duties of examiner faithfully and impartially; and superintendents of schools shall give to the board all necessary information in reference to branches and special studies to be taught, and the branches of study and grades of school which teachers will be required to teach.

Meetings for examinations; notice.

SEC. 4080. The board shall hold not less than two meetings each year, notice of which shall be published in some newspaper of general circulation in the district, and the expense of such publication shall be paid as provided in section forty hundred and eighty two, and all examinations of applicants shall be conducted at the meetings of the board thus called, and the examination of each and every applicant shall be in the presence of at least two members of the board.

SEC. 4081. Each person who applies to the board for examination shall pay to the clerk a fee of fifty cents. The board may grant certificates for one, two and three years from the day of examination, which shall be signed by the president and attested by the clerk, and shall be valid within the district wherein they were issued; and the examiners may grant certificates for five years to such applicants as, in addition to the necessary qualifications, have been for three years next preceding their application engaged in teaching, eighteen months of which experience shall have been in one place; and such certificate for five years shall be renewable upon the same conditions, but without examination, at the discretion of the examining board; and on the production of satisfactory evidence that a person to whom a certificate has been issued is inefficient or guilty of immoral or improper conduct, the board may revoke the certificate and discharge such person from employment as teacher in the district; but such teacher shall be entitled to pay for services to the time of such discharge, and the word teacher shall be held to include superintendent of schools. And when any holder of a certificate is charged with intemperance or other immorality, the board shall have power to send for witnesses and examine them on oath touching the matter under investigation.

Examination fee; granting and revocation of certificates.

Investigation of teachers.

SECTION 2. The terms of the present members of the state board of examiners shall expire one each year beginning on the 31st day of August next, in such order as the commissioner of common schools may designate; and the terms of the present members of each board of county examiners shall expire one each year, beginning on the 31st of August next, in the order of the terms for which they have been appointed; provided, that if more than one in the board are appointed for the same term, the probate judge shall designate their terms; and the terms of the present members of each city and village board shall expire one-third each year, beginning on the 31st of August next, in the order of the terms for which they have been appointed; provided, that if more than one in the board are appointed for the same time, the board of education shall designate their terms; and in city districts of the first class having more than six members in the board of examiners when this act takes effect, the board of education shall determine the terms of office of the several members, so as to comply with this act.

Terms of present members of school boards.

SECTION 3. That sections 4065, 4066, 4068, 4069, 4073, 4074, 4077, 4078, 4080 and 4081 of the Revised Statutes of Ohio be and the same are hereby repealed.

SECTION 4. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 5.]

AN ACT

To amend section 3040 of the Revised Statutes, as amended March 4, 1884 (81 vol., p. 30).

Ohio National guard:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3040, as amended March 4, 1884 (81 v., p. 30), Revised Statutes of Ohio, be so amended as to read as follows:

When members of certain independent military companies shall be entitled to privileges.

SEC. 3040. If any independent military company, the organization of which has been continuous for at least twenty years last past, or any independent infantry battalion, the organization of which has been continuous for at least three years last past, all of whom have [been,] and shall continue to be, fully armed and equipped at their own expense, and agree to be subject to all calls of the governor for troops, in case of war, riot, insurrection, or invasion, and at least forty of the members of such infantry company or of the several companies of such infantry battalion, together with its field and staff officers, sign an agreement to that effect, and file the same with the governor, the acting and contributing members thereof, not exceeding the number allowed infantry companies of the organized militia, shall be entitled to all the privileges and exemptions allowed members of the national guard; the acting members thereof who sign such agreement shall, from [for?] neglecting or refusing to respond to any such call of the governor, be subject to the same fines and penalties as members of the national guard for like offenses; all persons who enlist in such companies, and all such field and staff officers, after the filing of such agreement, shall sign a like agreement, which shall also be filed with the governor; and such companies shall be kept up to at least forty active members; a record of contributing members, showing the date of each certificate, to whom issued, and the amount paid, shall be kept by the secretaries of such companies, a copy of which shall be filed with clerk of the court of common pleas, and a report of the same shall be made to the adjutant-general of the state on or before the first day of April of each year.

Penalty for refusing to respond to call of governor.

Record of contributing members.

SECTION 2. That said section 3040, as amended March 4, 1884, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 330].

AN ACT

amend section 2463 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2463 of the Revised Statutes of Ohio, as amended March 22, 1888, be so amended as to read as follows:

Cleveland fire department:

SEC. 2463. The board may appoint an executive officer who shall be known as the chief of fire department, who shall have the active management of the department in service, and such number of assistants as may be deemed necessary, who shall serve during good behavior, and not be removed except for the causes hereinafter mentioned for the removal of other officers, and after hearing and trial before the board; and they shall also appoint such other officers and employes as may be necessary for the efficient management of the department, who shall hold their positions until removed by death, resignation, or for incompetency, inefficiency, permanent disability, insubordination, or violation of any of the rules or regulations of the department; but no member shall be appointed or removed on account of his religious or political opinions; and they shall allow a leave of absence of twelve days in each year, in addition to that already allowed by section 2439, to each officer and member of the department, and without loss of pay; provided, that the persons serving in the department at the passage of this act shall not be removed except as hereinbefore mentioned.

Appointment of executive officers and employes.

Terms; removals.

Annual leave of absence.

SECTION 2. That [section] 2364, as amended March 22, 1888, be and the same is hereby repealed; and this act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 165].

AN ACT

To prevent the spread of glanders or farcy among horses, and foot-rot and scab among sheep.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any person owning or having in his charge any horse, mule or ass that he knows or has reason to believe is affected with the disease known as glanders or farcy, or that has been adjudged to be so affected by the state board of live stock commissioners, upon a report made to said board by a competent veterinary surgeon in their employ,

Penalty for selling or failing to keep securely isolated horses etc. affected with glanders.

after a careful examination of such animal, who shall sell or otherwise dispose of, or secrete the same, or shall fail to keep such animal securely isolated so that contact with other horses, mules or asses shall not be possible, shall, upon conviction of either of said offenses, be fined in any sum not exceeding five hundred dollars, and shall, moreover, be liable for all damages sustained by reason of the same.

Appraisal and payment of compensation in case of destruction of such animals by order of live stock commission.

SECTION 2. In case the live stock commissioners shall order the destruction of any animal affected with glanders or farcy in the chronic stage of the disease, which may be adjudged capable of rendering some service, the board may cause the animal to be appraised, and order such compensation to be paid out on the order of the live stock commissioners on the warrants of the auditor of state out of any funds in the treasury to the credit of the live stock commission, as in the judgment of the commissioners may be just, not exceeding its cash value; provided the horse was not diseased when passed in possession of the owner.

Penalty for suffering sheep affected with scab to run at large or for selling same, knowing, etc.

SECTION 3. Any person owning or having in charge any sheep affected with foot-rot or scab, who shall suffer the same to run upon any highway, common or other uninclosed ground, or shall sell such sheep, knowing or having reason to believe them to be diseased, without disclosing the fact to the purchaser, shall, upon conviction of either of said offenses, be fined in any sum not exceeding one hundred dollars, and be liable to parties injured for all damages sustained.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 297].

AN ACT

To amend section 12 of an act passed May 19, 1886 (O. L. [83], pp. 229, 230, 231), and amended March 23, 1888.

Ohio penitentiary:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 12 of an act passed May 19, 1886 (O. L. 83, pp. 229, 230, 231), and amended March 23, 1888, be amended so as to read as follows:

Appointment and salaries of officers and other employes.

SEC. 12. It shall be the duty of the warden, with the advice and consent of the board of managers, to appoint the following named officers, whose compensation shall be as follows: Deputy warden, twelve hundred dollars per year;

the clerk, fifteen hundred dollars per year; secretary of the board, not to exceed fifteen hundred dollars per year; the assistant clerk, at the discretion of the board, not exceeding ten hundred dollars per year; the chaplain, who shall also act as librarian, not to exceed ten hundred dollars per year; the steward, twelve hundred dollars a year; the physician, ten hundred dollars per year; the assistant deputy warden, at ten hundred dollars a year; the superintendent of the school, at eight hundred dollars a year, and said superintendent shall be accredited as a guard; the superintendents of the yard, kitchen, state shops and hospital, and officers in charge of the guard-room, not to exceed seventy-five dollars each a calendar month; the male guards sixty-five, and the female guards fifty dollars each calendar month; provided, each guard shall be allowed not to exceed fourteen days' vacation each year without reduction of pay; superintendents of the different industrial departments may be appointed when necessary to do so, at a salary not to exceed twelve hundred dollars each per year; and the warden may also appoint, as hereinbefore provided, such other officers and employes as may be necessary to carry on the moral and religious features of the institution, each of whom shall receive not to exceed seven hundred and eighty dollars a year. The appointees herein provided for shall be selected for their fitness and qualifications for the positions to which they may be appointed or employed, and shall hold their offices or places for two years, or unless [sooner] removed for cause by the warden; provided, further, that one guard, or one of the minor officers, shall be appointed from each county until the necessary number is secured. All the appointees herein provided for shall be paid monthly out of the state treasury, on the warrant of the state auditor.

Vacation of guards.

Qualification and term; removals.

One guard from each county; salaries payable monthly.

SECTION 2. That section 12 of an act passed May 19, 1886 (O. L. 83, pp. 229, 230, 231), as amended March 27, 1888, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem of the Senate.

Passed April 16, 1888.

[House Bill No. 537.]

AN ACT

To amend section 2919, as amended May 17, 1886, of the Revised Statutes of Ohio, and to repeal supplementary sections 2919*a* and 2919*b*.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2919, as amended May 17, 1886, of the Revised Statutes of Ohio, be amended so as to read as follows:

Primary elections:

Oath of supervisor.

SEC. 2919. The person named in the notice as supervisor, or, in his absence or refusal to serve, the person assuming or chosen by the electors present to be such supervisor, shall take an oath that he is a legal voter at such poll, that he will correctly and faithfully conduct such election, protect it against all frauds and unfairness, and carefully and truly canvass all votes cast thereat, in the manner required by the authority appointing the election; and thereupon the supervisor shall cause the electors present, possessing the qualifications of persons entitled to vote under the notice, to choose two judges and two clerks of elections to assist him in receiving and taking account of the votes cast, to each of whom shall be administered the same oath taken by the supervisor; and a township trustee or clerk, or an alderman, a member of council, trustee or clerk of a municipal corporation, or a supervisor of election, who has been duly sworn, may administer the oath prescribed in this section; provided, in cities of the first class and of the first and second grades in the second class, such primary elections shall be under the control of the board of elections, and the polling places shall be fixed by such board. The elections shall be conducted as required for general elections by section 2926 and supplemental sections, so far as those sections are applicable, and the election officers shall have the powers therein conferred, and the requirements and penalties therein provided shall be enforced. There shall be two judges and a clerk at each polling place opened for the reception of ballots, who shall belong to the party or association holding the election, and who shall be assigned to duty by the board of elections. When necessary to comply with the above requirement, the board of elections shall appoint special judge[s] and clerks for primary elections and assign them to duty, but the board of elections shall not be required to hold such primary elections for more than two political parties preparatory to nominating candidates for any one election, but at its own discretion it may hold such additional elections. At the close of the canvass the judges and clerks shall sign and deliver to the candidate having the highest number of votes for each office, or appointment to be filled, a certificate of his election, and shall make out a summary statement of votes as required in section 2926*p*, and dispatch it to the chairman of the committee of the party holding the election, and also forthwith deliver the poll-book and tally-sheet, duly made up and certified, to the board of elections. In cases of doubt or dispute the executive committee as aforesaid, or a committee to be appointed by it, shall canvass the summary statements in the hands of the chairman, and declare the result; and such committee, in order to arrive at a correct result, may also consult and take into account the poll-books and tally-sheets in the office of the board of elections. The polls for such elections shall be opened at 4 o'clock p. m., and shall be closed at 7 o'clock p. m., unless

Choosing of judges and clerks; their oath.

Primary elections in cities of first class and first and second grades, second class.

Judges and clerks.

Special judges and clerks.

Duties of judges and clerks, certificates of election.

Powers of executive committee.

otherwise arranged by the board of elections. Judges and clerks shall be paid two dollars each for every such election at which they serve, in the cities above mentioned, to be paid in the manner provided for general elections. The penalties relating to delegates to any convention and providing against fraudulent voting in the sections of the Revised Statutes from 7039 to 7066, inclusive, shall be enforced for the same offenses at all primary elections held in this state. No delegate to any political convention in this state shall have power, by proxy or otherwise, to designate another person to serve as a delegate in his place or stead, and any person elected by a primary meeting to serve as delegate to a convention, who shall give any power or proxy to another to serve in his place or stead, shall be guilty of a misdemeanor, and be fined in a sum not less than twenty-five dollars nor more than one hundred dollars for every such offense.

Opening and closing of polls; compensation of judges and clerks.

Penalties relative to delegates and fraudulent voting.

Proxies unlawful in political conventions.

SECTION 2. That section 2919, as amended May 17, 1886, and supplementary sections 2919*a* and 2919*b* be and the same are hereby repealed.

SECTION 3. That this act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President [pro tem.] of the Senate.

Passed April 16, 1888.

[Senate Bill No. 184].

AN ACT

To amend section 2271 of the Revised Statutes of Ohio, as amended May 4, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-two hundred and seventy-one of the Revised Statutes of Ohio, as amended May 4, 1885, be amended so as to read as follows:

Limitation on special assessments in cities of first class and in Hamilton county municipalities.

SEC. 2271. In cities of the first class, and in corporations in counties containing a city of the first grade of the first class, the tax or assessment specially levied or assessed upon any lot or land for any improvement, shall not, except as provided in section twenty-two hundred and seventy-two, exceed twenty-five per centum of the value of such lot or land as determined in advance by the common council, which valuation shall not exceed a fair market value of such lot or land after the improvement is made, and the cost exceeding that per centum shall be paid by the corporation out of its general revenue; except as provided in section twenty-

two hundred and seventy-two, there shall not be collected of such assessment, in any one year, more than one-tenth of such value of the property on which the assessment is made; and in cities of the third grade, first class, said tax or assessment shall not in any case exceed twenty-five per centum of the value of such lot or land after the improvement is made; and such value may be determined as, and at the same time, aforesaid, or otherwise according to law after such improvement is made; and whenever any street or avenue is opened, extended, straightened, or widened, the assessment for the cost and expense thereof shall be assessed only on the lots and lands bounding and abutting on such part, or parts, of said street or avenue so improved; provided, that nothing in this section contained shall apply to any improvement ordered, commenced or completed prior to the passage of this act.

Toledo.

SECTION 2. That section 2271, as amended May 4, 1885, be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 327].

AN ACT

Making appropriations to pay expenses of legislative investigation committees, fish and game commission, and Ohio state board of pardons.

Appropriations:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated out of any moneys in the general revenue fund, not otherwise appropriated, the following sums, for the purposes hereinafter specified, to-wit:

Ohio Fish and Game Commission:

For fish and game commission.

For paying expenses of, fifteen hundred dollars ($1.500.00).

Ohio Board of Pardons:

Board of pardons.

To pay expenses of board, five hundred dollars ($500.00).
Salary of secretary, three hundred dollars ($300.00).

Legislative Investigating Committees:

Legislative investigating committees.

For paying expenses of, $3,000.00.
The auditor of state shall issue his warrant for payment

from this fund upon vouchers signed by the secretary, and attested by the chairman of each committee.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 675].

AN ACT

To amend supplementary section No. 2926c of the Revised Statutes of Ohio, as amended March 16, 1887, v. 84, O. L., pp. 121, 122.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary section 2926c of the Revised Statutes of Ohio, as amended March 16, 1887, v. 84, O. L., pp. 121 and 122, be so amended as to read as follows:

Board of elections in certain cities:

SEC. 2926c. The members of the board of elections shall meet within ten days after their appointment, at the mayor's office of such city, and organize by electing one of them president by ballot. If they fail so to do within fifteen minutes after meeting, the president shall then be chosen by lot. No order, resolution, or action of such board shall be valid without the vote of three of the four members. Such board shall appoint all registrars of elections, judges and clerks of election, and other clerks, officers or agents herein provided for, and designate the ward or precinct in which each shall serve. They shall also appoint the places of registration of electors, and holding elections in each ward or precinct, and hire suitable rooms for such purpose and for their own office, at such rents as they deem just; they shall also provide the necessary and proper furniture and supplies for such rooms, and for the purchase, preservation and repair of all ballot-boxes necessary for use at elections in such city, and all books, blanks and forms necessary for the registrations and elections herein designated, and for duly issuing all notices, advertisements or publications required by law. The board may, from time to time, make and issue all such rules, regulations and instructions, not inconsistent with law, as they shall deem necessary for governing or guiding their secretary and his deputy or assistants, and the registrars of electors, and judges and clerks of elections, or other persons under their control, in the proper discharge of their respective offices and duties. They shall divide, define and proclaim

Organization; general powers and duties.

Appointment of registrars, judges and clerks.

Registration and polling places.

Supplies.

Ballot boxes.

Blanks, etc.

Rules.

Election precincts.

the election precincts of such city authorized in section 2926, and the boundaries thereof, and provide for furnishing to each registrar of electors and judges of elections a map and pertinent description of such division and boundaries, and of any changes which, from time to time, are made by them. When necessary, in cities of the first class, and first and second grade in the second class, they may employ a deputy and one or more clerks as temporary assistants of their secretary, at a salary not to exceed the rate of one hundred dollars per month, and prescribe their duties. The period for which they are employed must always be fixed in the order authorizing their employment, but they may be discharged sooner, at the pleasure of the board. Such deputy secretary, and all such assistants shall take the oath above prescribed.

Map.

Deputy secretary and assistants.

SECTION 2. That said original supplementary section 2926, as amended March 16, 1887, be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 585].

AN ACT

Making appropriations to meet deficiencies and pay liabilities.

Deficiency appropriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and are hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums of money to pay deficiencies and liabilities, as hereinafter particularly mentioned, to-wit:

Adjutant General's Department:

Care of military stores and freight on arms, one hundred and sixty-seven dollars and forty cents ($167.40).

Making copy soldiers' roster for publication, sixteen hundred and forty-six dollars and seventy cents ($1,646.70).

Publishing roster Ohio troops, three hundred and thirty dollars and fifty cents ($330.50).

Expenses of Ohio national guard on orders at Paulding county reservoir, three thousand and sixty-three dollars and seventy-four cents ($3,063.74).

Deficiency appropriations.

Expenses of Ohio national guard on orders at Fairport nineteen hundred and eleven dollars and twenty-seven cents ($1,911.27).

Transportation of Ohio national guard in 1886, one hundred and sixteen dollars ($116.00).

Uniforms for Ohio national guard, forty-five hundred and eighteen dollars and thirty-four cents ($4,518.34).

Medical supplies Ohio national guard, 1887, four hundred and sixty-one dollars and fifty-eight cents ($461.58).

To pay Thomas Downs for damage to horse used by the 7th battery at the encampment at Chillicothe in the year 1886, ninety-nine dollars ($99.00).

To pay medical attendance, nursing and boarding of Thomas Whittingham, sickness contracted during riots at Cincinnati, 1884, fifty dollars ($50.00).

To pay claim of the Hartwell and Carthage skating-rink company for use of and damage to their property during the time said rink was occupied by the Ohio national guard, in 1886, one hundred dollars ($100.00).

Provided this sum is accepted in full payment of all claims against the state.

State House and Grounds:

Material for, and repairs of state house, one hundred and seventy-four dollars and thirty-four cents ($174.34).

Water rent at state arsenal for four years last past, fifty dollars ($50.00).

Care and repair of heating apparatus in state house, one hundred and twenty dollars and eighty-one cents ($120.81).

Repairing room used by roster clerks, one hundred and seventy-five dollars and sixty cents ($175.60).

To pay J. S. Abbott, bill of material for painting the offices of clerk of the supreme court, eleven dollars and fifteen cents ($11.15).

To pay C. E. Hutchins, labor painting said offices, twenty dollars ($20.00).

To pay S. A. D. Beller, for paving west side of High street, from Ninth avenue to Northwood avenue, and constructing sidewalks, all being in front of Ohio State University property, nine hundred and fifty-two dollars and thirty-nine cents ($952.39).

To pay N. B. Abbott, for repairing the asphalt pavement from Woodward avenue to north corporation line in front of Ohio State University grounds, 3096 feet, eighteen hundred and four dollars and forty-two cents ($1,804.42).

For setting curb in front of state house on High street, thirty-seven dollars and twelve cents ($37.12).

Agricultural Experiment Station:

Expenses of, fourteen hundred and fifty dollars ($1,450.00).

Deficiency appropriations.

Auditor of State:

Salary of auditor, twenty-six dollars and thirty-six cents ($26.36).

Salaries of clerks, three hundred and one dollars and twenty-four cents ($301.24).

Contingent expenses, one hundred and forty-three dollars and thirty-eight cents ($143.38).

Pension for family of J. P. Brush, twelve dollars ($12.00).

Attorney-General:

Salary of attorney-general, sixteen dollars and twenty-seven cents ($16.27).

Board of State Charities:

To pay R. Brinkerhoff, traveling expenses, twenty-two dollars and forty cents ($22.40).

To pay F. B. Sanborn, balance due on reports of national conference of charities for 1886, sixty-two dollars and fifty cents ($62.50).

To pay M. Anna Byers, balance of salary for January 15 to February 15, 1886, fourteen dollars and fifty-five cents ($14.55).

To pay Western Union Telegraph Co., January 1 to February 15, 1886, seven dollars and seventeen cents ($7.17).

Board of Public Works:

Ohio canal, northern division, to pay repairs and improvement, three thousand and seventy-two dollars and forty-eight cents ($3,072.48).

Ohio canal, southern division, to pay repairs and improvements, thirty-nine thousand five hundred and forty-four dollars and thirty-eight cents ($39,544.38).

Hocking canal, to pay repairs, nineteen hundred and fifty-eight dollars and thirty-six cents ($1,958.36).

Walhonding canal, to pay repairs, ten hundred and thirty-one dollars and four cents ($1,031.04).

To pay salary of engineers, twenty-six dollars and sixty-six cents ($26.66).

Commissioner of Railroads and Telegraphs:

Contingent expenses, one hundred and seventeen dollars and fourteen cents ($117.14).

Executive Department:

To pay salary of governor, four hundred and forty-one dollars and ninety-eight cents ($441.98).

Contingent expenses, eighty-seven dollars and eighteen cents ($87.18).

Inspector of Mines:

Deficiency appropriations.

Contingent expenses, two hundred and fifty-two dollars and twenty-eight cents ($252.28).

Clerk hire, sixty dollars ($60.00).

Attorney's fees, twenty-five dollars ($25.00).

Legislature:

To pay voucher in favor of J. Q. Files, second assistant sergeant-at-arms, three dollars ($3.00).

To pay bill of J. M. & W. Westwater, from January 3, 1887, to March 11, 1887, inclusive, one hundred and thirty-five dollars and five cents ($135.05).

Ohio Dairy and Food Commission:

To pay expenses of assistant commissioner Gegan, fifty-seven dollars and thirty-five cents ($57.35).

To pay expenses of state chemist, two hundred and forty-five dollars ($245.00).

Ohio Penitentiary:

Salaries of managers, six hundred and seventy dollars ($670.00).

Manufacture of gas, twenty-seven hundred and sixty-seven dollars and eighty-four cents ($2,767.84).

Repairs, eleven hundred and twenty-nine dollars and ten cents ($1,129.10).

Water-works, seven hundred and fifty dollars and eighty-three cents ($750.83).

Expenses attending executions, seven hundred and ninety-seven dollars and nineteen cents ($797.19).

Carpets, three hundred and twenty-six dollars and eighty-six cents ($326.86).

Superintendent of Insurance:

Contingent expenses and janitor, one hundred and ten dollars and thirty-six cents ($110.36).

Salaries of extra clerks, one hundred and eighty-seven dollars and fifty cents ($187.50).

Supervisor of Public Printing:

To pay pay-roll, six hundred and one dollars and fifty-five cents ($601.55).

To pay C. L. Hawes & Co.'s (bill), three hundred and fifty-one dollars and three cents ($351.03).

Clerk of Supreme Court:

Salary of clerk, one dollar ($1.00).

Treasurer of State:

Deficiency appropriations.

Collecting auditor of state's drafts, three hundred and sixty-six dollars and ninety cents ($366.90).

Columbus district alarm telegraph, sixty-one dollars and eighty-one cents ($61.81).

Athens Asylum for the Insane:

Ordinary repairs, eight hundred and seventy-two dollars and three cents ($872.03).

Cleveland Asylum for the Insane:

To pay ordinary repairs (on account of fire), forty-eight hundred and seventy-eight dollars ($4,878.00).

Salaries of officers, one hundred dollars ($100.00).

Laundry machinery, seven hundred and eighty-four dollars and forty cents ($784.40).

Rebuilding drying rooms, two hundred and forty-two dollars and eighty-six cents ($242.86).

Carpets, twenty-six dollars and fifty-four cents ($26.54).

Columbus Asylum for the Insane:

Ordinary repairs, three thousand and fifteen dollars and twenty-nine cents ($3,015.29).

Dayton Asylum for the Insane:

Officers' salaries, forty-one dollars and sixty-five cents ($41.65).

Toledo Asylum for the Insane:

Current expenses, seventeen hundred and twenty-two dollars and fifty-two cents ($1,722.52).

Ice house and refrigerator, seven hundred and seventy-nine dollars and seventy-one cents ($779.71).

Institution for the Blind:

Ordinary repairs, four hundred and thirteen dollars and eighty-nine cents ($413.89).

Books and school apparatus, twenty-three dollars and eighty-one cents ($23.81).

Boys' lavatory and closets, ten hundred and forty dollars and seventy-nine cents ($1,040.79).

Steam pipe and heating apparatus, one hundred and three dollars and forty-two cents ($103.42).

Trustees' expenses, seventy-four dollars ($74.00).

Care of grounds, fifty-one dollars and eighty-eight cents ($51.88).

Boys' Industrial School:

Salary fund, three hundred and sixty-two dollars and sixty-two cents ($362.62). Deficiency appropriations.

Sailors' and Soldiers' Orphans' Home:

Ordinary repairs, twelve hundred and thirty-nine dollars and twenty-nine cents ($1,239.29).

Purchase of new boiler at gas house, seven hundred and thirty dollars ($730.00).

Miscellaneous.

Frederick Blankner, third assistant sergeant-at-arms, one hundred and twenty dollars ($120.00).

George Riley, eleven days' work, at $2 per day, twenty-two dollars ($22.00).

James Lewis, nine days, at $2 per day, eighteen dollars ($18.00).

To pay Mrs. Mary Riley for sewing and binding carpets and oil cloth, etc., in senate chamber and hall of house of representatives and house committeee rooms, 73 days in all, at $2 per day, one hundred and forty-six dollars ($146.00).

To pay William Reeves for cleaning and renovating carpets of house of representatives and senate chamber, forty-four dollars ($44.00).

To pay veteran bounty of John McDermott, one hundred dollars ($100.00).

The auditor of state is hereby authorized to draw his warrant for same when satisfied it [is] correct and unpaid to pay costs in following cases:

State of Ohio vs. Hugh McKenzie—

Clerk Joyce	$26 25
Sheriff Heinmiller	27 74
Two appraisers	36 00
Total	$89 99

eighty-nine dollars and ninety-nine cents ($89.99).

To pay costs in case of Robert M. Rounds, trustee, vs. Louis Heinmiller, sheriff:

Clerk Joyce	$15 55
Coroner P. A. Eagan	4 95
Appraisers	2 00
Witness P. F. Hollywood	1 00
Total	$23 50

twenty-three dollars and fifty cents ($23.50).

To pay Wm. Smith for work on Muskingum improvement in 1883, 70 days work, one hundred and forty dollars ($140.00).

To Orr, Hanna and Abbott, for bill of paints, seventy dollars and eighty-three cents ($70.83).

To J. S. Abbott & Co., hardware bill, three hundred and thirty-nine and 23-100 dollars ($339.23).

To Slade and Kelton, lumber bill, fifty-four dollars and twelve cents ($54.12).

Deficiency appropriations.

To pay the Hamilton county agriculture society for damages done by the Ohio national guards during the encampment in 1885, three hundred and thirty-eight and 75-100 dollars ($338.75).

To pay Dr. G. A. Doren for various items of expenditure made by him under direction of the board of trustees of the asylum for imbecile youth and in behalf of the central asylum for the insane during the years 1879 to 1886, inclusive, being in full payment of all claims for rent of real estate, and for monies advanced as above stated, but not for services rendered or losses sustained, six thousand four hundred and sixty-five and 69-100 dollars ($6,465.69).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

LOCAL AND SPECIAL ACTS.

[House Bill No. 70].

AN ACT

To authorize the council of the village of New Washington, Ohio, to issue bonds for the purpose of sinking wells for natural gas, and providing necessary mains and service pipes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Washington, in Crawford county, Ohio, be and the same hereby is authorized to issue the bonds of said village in any sum or sums not exceeding twenty-five hundred ($2,500.00) dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of providing funds to defray the expense of sinking wells for natural gas, and laying necessary mains and service pipes therefor; provided, however, that no bonds shall be issued or tax levied under the provisions of this act until the question of issuing said bonds shall have been submitted to the qualified electors of said village at an election to be held at such time after the passage of this act as the village council may determine; and ten days' notice of such election and submission shall be given by the mayor of said village in one or more newspapers published therein, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and place of holding said election; and if a majority of the electors voting at such election upon the question of issuing the said bonds vote in favor thereof, then the said bonds may be issued and the said tax levied.

SECTION 2. Those voting in favor of the said proposition shall have written or printed on their ballots the words: "For the issue of bonds;" and those voting against the same the words: "Against the issue of bonds."

SECTION 3. The principal of said bonds shall be payable at such places and at such times, not exceeding ten years from the date of issue, as the council of said village may by ordinance determine; and the said council is hereby authorized to levy a tax upon all the taxable property of said village, to pay said bonds and interest; but such tax shall not exceed one and a half mills on the dollar in any one year.

SECTION 4. Said bonds shall be issued in such sums as the village council of said village may by ordinance determine, and shall be signed by the mayor and countersigned by the clerk of said village, who shall make a record of the number, date and amount of each bond, and they shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed January 19, 1888.

[House Bill No 71.]

AN ACT

To authorize the village council of Harrison, Hamilton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Harrison, Hamilton county, Ohio, be and is hereby authorized to transfer the sum of eighteen hundred dollars ($1,800.00) from the marshal and police fund to the street and alley fund, and the sum of two hundred dollars ($200.00) from the said marshal and police fund to the street lighting fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 180].

AN ACT

To authorize the village of Jackson, Ohio, to erect or purchase an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Jackson, Ohio, be and they are hereby authorized and empowered to erect or purchase an electric light plant for the purpose of lighting the corporation, and for that purpose said council is hereby authorized to purchase engines, boilers, dynamos, wires, poles and the appurtenances thereto belonging, and materials necessary for the successful operation of the same, at a total cost and sum not to exceed the sum of twenty thousand ($20,000.00) dollars.

SECTION 2. For such purposes said village council are authorized to issue the bonds of said village in the sum not exceeding twenty thousand ($20,000.00) dollars, bearing interest at a rate not to exceed six per cent. per annum, from date of issue, payable semi-annually. The principal of such bonds shall be payable at such times and place as the council may determine, within a period not exceeding twenty years, and shall be advertised and sold according to law.

SECTION 3. Said council is authorized to levy a tax on all the taxable property of said village, in addition to what it is now authorized by law to levy, sufficient to meet the annual interest on said bonds and pay the principal thereof as the same falls due.

SECTION 4. The question of issuing said bonds, levying said tax and of erecting and constructing said electric light plant for said village shall be submitted to a vote of the qualified electors of said village, at a general or special election, at the place of holding elections in said village, by giving ten days' notice thereof in two newspapers of opposite politics

published in said village. The tickets to be voted at said election shall have written or printed thereon, "Electric light plant—Yes;" or, "Electric light plant—No." If a majority of the votes cast at said election are in favor of electric light plant and issuing of said bonds, then the council shall proceed to issue said bonds, and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 27].

AN ACT

To authorize the village council of the incorporated village of New Concord, Muskingum county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of New Concord, Muskingum county, Ohio, be and are hereby authorized to transfer two hundred dollars ($200.00) from prison fund to street fund, and two hundred dollars ($200.00) from fire fund to street fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 52].

AN ACT

To authorize the village council of Salineville, Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Salineville, Columbiana county, Ohio, be and is hereby authorized to transfer the sum of one thousand dollars ($1,000.00) from the police fund of said village to the general revenue fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 77.]

AN ACT

To authorize the council of the city of Bucyrus, Ohio, to transfer permanently certain moneys from the police fund to the interest and bond fund of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Bucyrus, Ohio, be and the same is hereby authorized to transfer permanently to the interest and bond fund of said city, the sum of thirty hundred ($3 000.00) dollars from the police fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 103

AN ACT

To authorize the council of the village of Port Washington, Tuscarawas county, Ohio to transfer certain funds..

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Port Washington, Tuscarawas county, Ohio, be and the same is hereby authorized to transfer the sum of three hundred and twenty-five ($325) dollars from the general fund to the building fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 99].

AN ACT

To authorize the commissioners of Portage county, Ohio, to provide for the deficiencies in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Portage county, Ohio, for the purpose of meeting and providing for a deficiency in the county funds of said county, are hereby authorized to issue bonds in an amount not exceeding twenty thousand dollars ($20,000). Said bonds shall bear a rate of in-

terest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations from five hundred dollars to one thousand dollars each, and shall be payable at such times, not exceeding two years from date of issue, as the said county commissioners may determine, and shall be sold according to law.

SECTION 2. Said bonds and interest, shall be paid out of an additional tax, of not exceeding one and three-tenths mills, to be levied by the county commissioners of said county with the annual levy of 1888.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 20, 1888.

[House Bill No. 21.]

AN ACT

To authorize the township trustees of Washington township, Licking county, Ohio, to issue bonds for the purpose of erecting a public hall.

WHEREAS, The electors of Washington township, Licking county, Ohio, at a regular election, in 1887, by a majority of all the votes cast at that election, voted in favor of uniting with the council of the village of Utica, situate in said township, in the erection of a public hall in said village, as provided by law, and to levy a tax therefor on all the property subject to taxation in said township to raise a sum not exceeding two thousand five hundred dollars ($2,500,00) for that purpose:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of said Washington township, Licking county, Ohio, are hereby authorized to issue the bonds of said township in a sum not exceeding two thousand five hundred dollars ($2,500.00), bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at a period not exceeding ten (10) years from the date of issue. Said bonds shall be signed by the said township trustees as such, and shall be made payable at such place or places as the said township trustees shall by resolution prescribe, and said bonds shall not be sold for less than their par value, and may be issued and sold at such time and places as the said trustees shall by resolution provide.

SECTION 2. The money arising from the sale of such bonds, shall be used by the said trustees for the purpose of erecting said public hall, and for no other purpose whatever.

SECTION 3. Whenever said bonds shall be issued and sold, according to the provisions of this act, it shall be the duty of said township trustees to levy a tax on all the taxable property of said township sufficient to pay the interest accruing annually on the bonds so issued and sold, and to create a sinking fund for the payment of the principal of said bonds

as the same shall fall due; provided, that said township trustees may create said sinking fund whenever in their judgment it shall become necessary.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 80].

AN ACT

To authorize the council of the village of Glenville, Cuyahoga county, Ohio, to transfer money from the police fund to the fire and water fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the village of Glenville, Cuyahoga county, Ohio, be and is hereby authorized, permanently, to transfer from the police fund of said village to the fire and water fund the sum of twelve hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 85].

AN ACT

To authorize the transfer of the surplus dog tax fund in Gallia county, Ohio, to the general revenue fund of said county, and to repeal an act therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the surplus of the fund arising from the per capita tax on dogs in Gallia county, state of Ohio, may be annually transferred by the commissioners of said Gallia county to the general revenue fund.

SECTION 2. That an act entitled "an act to authorize the commissioners of Gallia county, Ohio, to transfer the surplus dog tax, in Gallia county, to the poor fund of said county," passed March 29th, 1881, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 166]

AN ACT

To authorize the council of the city of East Liverpool, Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of East Liverpool, Columbiana county, Ohio, is hereby authorized and empowered to transfer the sum of fifteen hundred dollars ($1,500.00) from the police fund to the general fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[Senate Bill No. 3].

AN ACT

To authorize the council of the village of Utica, Licking county, Ohio, to issue bonds for the purpose of erecting a public hall in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of said village of Utica, Licking county, Ohio, is hereby authorized to issue the bonds of said village in a sum not exceeding seventy-five hundred dollars ($7,500.00), in denominations of not more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at a period not exceeding ten (10) years from the date of issue. Said bonds shall be signed by the mayor or clerk of said village, and shall be made payable at such place or places as the council of said village may by ordinance prescribe, and said bonds shall be sold at not less than their par value, and may be issued and sold at such time and places as the council of said village shall by ordinance provide.

SECTION 2. The money arising from the sale of such bonds shall be used by the council of said village for the purpose of building and completing said public hall and for no other purpose whatever.

SECTION 3. Whenever said bonds shall be issued and sold according to the provisions of this act, it shall be the duty of the council of said village to levy a tax on all the taxable property of said village sufficient to pay the interest accruing each year on said bonds so issued and sold, and to create a sinking fund for the payment of the principal of said bonds as the same shall fall due; provided, that said council may create said sinking fund whenever, in its judgment, it shall be necessary.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 170].

AN ACT

To authorize the council of the city of Sandusky, Erie county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the city of Sandusky, Erie county, Ohio, be and is hereby authorized to transfer from the general and incidental fund to the street fund the sum of two thousand dollars ($2,000.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 181].

AN ACT

To authorize the council of the city of Ironton, Lawrence county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the city of Ironton, Lawrence county, Ohio, be hereby authorized to transfer three thousand dollars ($3,000) from the police fund to the street improvement fund of the city, for the improvement of Fifth and Walnut streets.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 24, 1888.

[House Bill No. 153].

AN ACT

To authorize the commissioners of Tuscarawas county, Ohio, to expend a certain sum of money.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Tuscarawas county, Ohio, be and they are hereby authorized to expend the sum of fifteen hundred dollars, or so much thereof as may be necessary, in addition to the amount now authorized by law, for the completion of the insane building now in course of construction in said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 118].

AN ACT

To authorize the county commissioners of Hancock county, Ohio, to issue and dispose of the bonds of said county for completing and furnishing the new court-house now being constructed in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hancock county, Ohio, be, and they hereby are authorized to issue the bonds of said county to such amount, not exceeding the sum of seventy-five thousand dollars, as may be necessary to complete, finish and furnish the said new court-house of said county, authorized by the act passed by the general assembly of the state of Ohio, April 17, A. D. 1885, entitled "an act to authorize the commissioners of Hancock county, Ohio, to build a court-house."

SECTION 2. Said bonds, when issued, shall be signed by the county commissioners of said county, or any two of them, and shall be countersigned by the county auditor of said county. Said bonds shall be issued in denominations of not less than one hundred dollars, nor more than one thousand dollars each. They shall have interest coupons attached, and shall be numbered consecutively, and be registered in the office of the county auditor of said county. Said bonds shall be made payable in not less than twenty, nor more than thirty years, with interest at a rate not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at the county treasury of said county, or in the city of New York, in the discretion of said commissioners, and shall be sold according to law, and for no less a sum than their par value.

SECTION 3. No more of said bonds shall be issued than is necessary for the completion, finishing and furnishing of said court-house, and they

shall be issued and sold by said commissioners at such times and in such amounts as they may deem necessary to secure the due progress and completion and furnishing of said court-house ready for occupancy.

SECTION 4. The said board of commissioners of said county shall annually levy such amount of taxes as may be necessary to pay the interest upon said bonds, and after ten years after the date thereof such additional tax as may be necessary to pay the principal when it becomes due, and create a sinking fund therefor.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 107].

AN ACT

To change the name of Abraham Schinpinsky.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Abraham Schinpinsky, a resident of Belmont county, Ohio, be and the same is hereby changed to that of Abraham Davis.

SECTION 2. That said change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 109].

AN ACT

To authorize the trustees of Rush township, Champaign county, to issue bonds to build two vaults, and to submit question to vote of the electors of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the trustees of Rush township, Champaign county, Ohio, be and they are hereby authorized to issue bonds of said township, not exceeding two thousand ($2,000) dollars, for the purpose of building two cemetery vaults, one to be located in the Woodstock precinct and one to be located

in the Lewisburg precinct, in said township; said bonds to be issued in denominations of one hundred dollars ($100) each, to bear interest at the rate of six per cent. per annum, payable semi-annually, on the tenth days of March and September in each year, and to run not to exceed four years, and shall be disposed of as provided by law.

Provided, that the question of building such vaults shall be submitted to a vote of the electors of said township, at the next regular election after the passage of this act; at least ten days' notice of the submission of said question shall be given by notice posted in three public places in said township, said notices to be signed by the township clerk. Those who are in favor of said proposition shall have written or printed on their ballots, the words, "For two township vaults—Yes;" and those opposed—"No." If a majority voting at said election shall vote in favor of said proposition, then the trustees may proceed to have said vaults built, and may issue bonds as provided in section 1 of this act.

SECTION 2. That for the purpose of paying said bonds and interest, said trustees are hereby authorized to levy a tax each year, not exceeding four years, to be collected as other taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 92].

AN ACT

To authorize the village of North Amherst, Lorain county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of North Amherst, Lorain county, Ohio, be and the same is hereby authorized and empowered to transfer from the general revenue fund of said village the sum of twelve hundred dollars to other funds of said village, as follows: To the town hall fund, $800; to the street fund, $200; to the fire and reservoir fund, $200.

SECTION 2. This act to take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 82].

AN ACT

To change the names of Elizabeth Elton Van Wormer, James Charles Van Wormer and Daisy Lillian Van Wormer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the names of Elizabeth Elton Van Wormer, James Charles Van Wormer and Daisy Lillian Van Wormer, residents of Cuyahoga county, Ohio, be and the same are hereby changed so as to be and read respectively, as follows: Elizabeth Elton Machader, Charles Manuel Machader, and Daisy Lillian Machader.

SECTION 2. That such change shall in nowise affect the rights, privileges and liabilities of said persons.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[Senate Bill No. 27].

AN ACT

To authorize the village of Painesville, Lake county, Ohio, to issue bonds for the purpose of constructing sewers in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Painesville, Lake county, Ohio, be and it is hereby authorized to issue bonds upon its corporate credit, in such amounts as its council by ordinance may determine, not exceeding ten thousand dollars ($10,000), for the purpose of constructing sewers in said village. Said bonds shall be sold at not less than par value, and shall be issued in such denominations, and redeemable within ten years, at such times as said council shall make them payable, and shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually.

SECTION 2. That for the purpose of paying said bonds and the interest thereon, as the same may mature and become due, the council of said village is hereby authorized to levy annually a tax upon all the taxable property of said village of Painesville, in addition to the amount already allowed to be levied by law; provided, nevertheless, that if said council collects, by special assessments upon abutting or benefited property, any part of the costs of construction of the sewers constructed with money realized from the sale of said bonds, the amount so collected by special assessments shall be applied in payment of said bonds so issued.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[Senate Bill No. 66]

AN ACT

To authorize the village of Bellefontaine, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Bellefontaine, Ohio, is hereby authorized to transfer five hundred dollars from the corporation fund of said village, to the water-works fund thereof, and the sum of three hundred and eighty-two and 24-100 dollars from the armory fund to the park fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 73].

AN ACT

To authorize the council of the city of Bellaire to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Bellaire, Belmont county, is hereby authorized to transfer such sum as it shall deem proper, not exceeding three thousand dollars ($3,000), from the police fund of said city to the general revenue fund of said city.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 75].

AN ACT

Supplementary to an act to authorize the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works, passed February fifth, 1879, and an act supplementary thereto, passed April 9, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of East Liverpool, Columbiana county, Ohio, be and they are hereby authorized to issue the bonds of said city, not exceeding ($15,000.00) fifteen thousand dollars, as hereafter provided,

for the sole purpose of extending said water-works, mentioned in the act to which this is supplementary.

SECTION 2. Said bonds shall be made payable at such times, not exceeding thirty years from the respective dates thereof, as said council may determine; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually; they shall be in denominations of not less than one hundred dollars and not more than one thousand dollars as said council may direct; they shall not be sold for less than their par value, and shall be issued and sold according to law.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due, or redeeming the same earlier, the said council is hereby authorized to levy a tax on all taxable property of the city, not to exceed three mills on the dollar in any one year, in addition to the taxes now authorized by law, which levy shall be placed on the duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 62].

AN ACT

To change the names of Simon Fuchs, Sarah Fuchs, Harry Fuchs and Sam Fuchs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the names of Simon Fuchs, Sarah Fuchs, Harry Fuchs and Sam Fuchs, residents of Perry county, Ohio, be and the same are hereby changed so as to read as follows: Simon Fox, Sarah Fox, Harry Fox and Sam Fox.

SECTION 2. That such change shall in nowise affect the privileges and liabilities of said persons.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[House Bill No. 54].

AN ACT

To change the name of Mary C. Coit to Mary C. Carlton.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Mary C. Coit, unmarried, a resident of Cuyahoga county, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: Mary C. Carlton.

SECTION 2. That such change shall in nowise effect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed January 26, 1888.

[Senate Bill No. 65.]

AN ACT

To authorize the council of the village of Quincy, in Logan county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Quincy, in Logan county, Ohio, be and they are hereby authorized to transfer any moneys, belonging to the building fund of said village to the oil and gas fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed January 30, 1888.

[Senate Bill No. 16].

AN ACT

To authorize the village of Avondale, Hamilton county, to borrow money and issue bonds therefor, to purchase turnpike and pay for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Avondale, in the county of Hamilton, be and hereby is authorized to borrow money, not exceeding twenty-five

thousand dollars in amount, for the purpose hereinafter designated, and to issue the bonds of the village therefor, the same to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations and to mature at such times as council shall determine; provided, that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of said village as may be necessary to pay the interest and principal of such bonds when they, the same, become due; said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. So much of said money as may be necessary for the purpose, shall be used to pay for that portion of the Cincinnati and Avondale turnpike lying within the corporation limits of said village, by purchase or by condemnation for street purposes, and the expenses thereof: and any surplus shall be used for general street improvements of said village.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed January 30, 1888.

[Senate Bill No. 68.]

AN ACT

To authorize the transfer of surplus in funds of the village of Mingo Junction, to the mayor's office and jail building fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Mingo Junction, Jefferson county, Ohio, be and the same is hereby authorized to transfer by ordinance, the sums of seven hundred ($700) dollars from the general and current expense fund, eleven hundred ($1,100) dollars from the police fund, and eleven hundred ($1,100) dollars from the light fund, to the mayor's office and jail building fund, to pay indebtedness.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed January 30, 1888.

[Senate Bill No. 56].

AN ACT

To authorize the council of the village of Painesville, Ohio, to contract for lighting purposes, and to erect or purchase an electric light plant or works, and to issue the bonds of said village to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Painesville, Ohio, be and is hereby authorized to contract for any term not exceeding ten (10) years with any electric light company which is now or may be hereafter organized in said village and which has constructed or which shall hereafter construct works therein for lighting purposes, for supplying the streets, squares, alleys, public grounds and buildings and all public places within the corporate limits, and for supplying the citizens of said village with light, or all, any or either of them.

SECTION 2. That the said council be and is hereby authorized and empowered to purchase any such electric light works or plant which is now or may hereafter be erected in said village of Painesville, or to erect and construct such works or plant for the purposes named in section one of this act, or all, any, or either of them, as in the judgment of the said council may be for the best interests of the said village. And the said council is hereby authorized and empowered to issue the bonds of said village in any sum necessary to purchase, or to erect and construct said electric light works or plant, but in no case to exceed the sum of $15,000.00, bearing interest at a rate not exceeding six (6) per cent. per annum, payable semi-annually, and to be of such denomination as the council of said village shall by resolution prescribe, but not less than five hundred dollars nor more than one thousand dollars, and shall be made payable at such times as said council of said village may by resolution prescribe, but not to exceed (15) fifteen years; said bonds shall not be sold for less than their par value in cash, and the proceeds arising from the sale thereof shall be used for the purpose of purchasing or of erecting and constructing an electric light works or plant in said village, and for no other purpose or use whatever.

The said bonds shall be signed by the mayor of said village and attested by the clerk thereof, and the seal of said village, and shall express upon their face the purpose for which they were issued.

SECTION 3. That the council of said village shall annually appropriate, out of any money in the village treasury that shall hereafter be levied and collected as taxes, for the purpose of paying the cost and expenses of lighting said village, a sum sufficient to pay said bonds and the interest thereon at maturity.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed January 30, 1888.

[House Bill No. 31].

AN ACT

To provide for the erection of a soldiers' and sailors' memorial hall building in the county of Van Wert, and to create a fund to pay for the same.

WHEREAS, Patriotic citizens of Van Wert county, Ohio, have heretofore become incorporated under general law, for the purpose of erecting a memorial hall, to commemorate the services of those soldiers and sailors of Van Wert county, who served in the union army during the war of the rebellion, and have purchased real estate therefor in the village of Van Wert; and

WHEREAS, Enough funds can not be raised for such purpose by voluntary subscription, and it is proposed to use said building for an armory for the Ohio national guard, for associations of ex-union soldiers, for the preservation of the history of Van Wert county soldiers, relics, and mementos of the war, and to make such further use as may produce the necessary revenue for the expense of maintenance of said building; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Van Wert county, Ohio, shall, at the regular spring election of 1888, submit to the qualified voters of said county the question of taxation to the amount of $30,000, for the purpose of erecting a soldiers' and sailors' memorial building in the village of Van Wert, on the site so purchased; thirty days' notice that said question will be so submitted, shall be given by said commissioners, by publication in two newspapers of general circulation in said county; those voting in favor of said taxation shall write or print on their ballots, "Soldiers' memorial building—Yes," and those opposed thereto shall write or print on their ballots, "Soldiers' memorial building—No."

SECTION 2. If a majority of the votes cast on said question at said election shall be in favor of the tax, the commissioners of said county shall issue the bonds of said county, each for $1,000, to the amount of $30,000, payable in twenty years and redeemable in ten years after the date thereof, and to bear such interest as said commissioners shall determine, but at a rate not exceeding six per cent. per annum, payable semi-annually; said bonds shall not be sold for less than par, nor shall any commission be allowed for their sale.

SECTION 3. To pay said bonds and interest, the county commissioners shall annually levy a tax on all the taxable property of said county, and the same shall be collected as other taxes.

SECTION 4. The funds arising from the sale of said bonds shall by said commissioners be delivered to the treasurer of the soldiers' and sailors' memorial hall building association of Van Wert, and the same shall be used by the directors of said association in the construction of said building.

The ownership of said site and building shall be and remain in the people of Van Wert county, but shall be under the supervision and control of the persons who are the present board of directors of said association, and any vacancy occurring in said board shall be filled by appointment by the remaining members of said board, but subject to the confirmation of the board of commissioners of Van Wert county, entered upon their journal; the present treasurer of said association, on receiving said

funds, shall give bond in the sum of $30,000, conditioned that he will faithfully pay the same over on the order of said board of directors. The board of directors, in the construction of said building, may, so far as the same are applicable, be governed by the provisions of the statutes of Ohio with reference to public buildings. No compensation shall be paid said commissioners or said directors. Said property shall be free from taxation by the state, county and municipality.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 32].

AN ACT

To change the name of Melzer Thomas Ellis Fuller, of Athens county, to that of Melzer Thomas Ellis.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Melzer Thomas Ellis Fuller, of Dover township, Athens county, be changed to that of Melzer Thomas Ellis.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 89].

AN ACT

To authorize the board of education of the city of Ironton, Ohio, to issue bonds for the purpose of erecting and furnishing a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Ironton, Ohio, be and the same is hereby authorized to issue bonds in any sum not exceeding forty thousand dollars, for the purpose of erecting and furnishing a school building in the city of Ironton, Ohio; said bonds to be of such denominations and payable at such times and place as said board of education

may deem judicious, not exceeding twenty years, and said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than par value; and said board of education shall annually thereafter cause the necessary taxes to be levied, to pay the interest and principal on said bonds as they shall become due; provided, said board of education shall not exceed the limitation now authorized by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 202].

AN ACT

To authorize the incorporated village of Orrville to issue bonds for the purpose of purchasing a steam fire engine.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the village of Orrville, Wayne county, Ohio, is hereby authorized to issue bonds not exceeding the sum of fifteen hundred dollars, for the purpose of purchasing a steam fire engine, and its necessary apparatus and equipments for said village; said bonds shall bear interest at a rate not exceeding six per centum per annum, and shall not be sold for less than their par value.

SECTION 2. For the purpose of paying said bonds and the interest thereon, said council is hereby authorized to levy a tax upon all the taxable property of said village; said tax shall be levied and collected in the same manner as taxes for general purposes are now levied and collected.

SECTION 3. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 211].

AN ACT

To authorize the city council of the city of Xenia, Greene county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of* [*Ohio*], That the city council of the city of Xenia, Greene county, Ohio, be and is hereby authorized to transfer the sum of fifteen hundred dollars ($1,500) from the interest and sinking fund to the bridge fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 241].

AN ACT

To authorize the village council of the incorporated village of Cedarville, Greene county, Ohio, to borrow money and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Cedarville, Greene county, Ohio, be and the same is hereby authorized to purchase a steam fire engine and provide a hose for the same, and other fire apparatus, and for said purpose they are hereby authorized to borrow the sum not exceeding three thousand dollars.

SECTION 2. That for the purpose aforesaid the council of said village of Cedarville is authorized to issue bonds, to be signed by the mayor of said village and attested by the village clerk, of denominations not less than fifty dollars, nor greater than one hundred dollars, and to sell the same at public or private sale, with or without advertising. Said bonds to bear interest at a rate not exceeding seven per cent. per annum, payable semi-annually, and to be payable at such time or times as the council may by ordinance provide, not exceeding ten years from the date thereof. Said bonds shall not be sold for less than their par value and accrued interest; said bonds may have interest coupons attached.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro. tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 228].

AN ACT

To authorize the trustees of Poland township, Mahoning county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the trustees of Poland township, Mahoning county, are hereby authorized and empowered to transfer from the town hall fund of the first precinct of Poland township, Mahoning county, to the Lowell cemetery fund of the first precinct of Poland township, Mahoning county, all the surplus moneys on hand belonging to said town hall fund, and all that may hereafter accrue to said town hall fund, by sale of vacant lot, or rent of town hall property, after deducting a sufficient amount for keeping said town hall in repair.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 225].

AN ACT

To authorize the council of the incorporated village of Wilmington, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Wilmington, Clinton county, Ohio, be and is hereby authorized to transfer the following funds:

From the marshal and police fund the sum of eight hundred ($800) dollars, from the sanitary fund the sum of two hundred and forty ($240) dollars, from the prison fund the sum of one hundred and sixty ($160) dollars, to the road fund to be used for road purposes and improvements exclusively.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 213.]

AN ACT

To authorize the board of education of Dunkirk union school district in Hardin county, Ohio, to issue bonds for the purpose of paying off an existing indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Dunkirk union school district in Hardin county, Ohio, be and the said board is hereby authorized to issue the bonds of said district, and sell the same, not exceeding five thousand dollars, and to use the proceeds thereof in paying off an existing indebtedness.

SECTION 2. Said bonds shall be in sums of one thousand dollars each, the first of which shall be payable, not later than the year A. D. 1904, and the remainder thereof shall be made payable, one each year thereafter until all are paid. They shall bear interest at a rate not exceeding six per centum per annum, to be paid semi-annually, and shall not be sold for less than the par value thereof. Said bonds shall be signed by the president and clerk of said board upon the resolution of the board, and a complete record of the same shall be kept by said clerk.

SECTION 3. Said board of education shall cause the necessary taxes to be levied to pay the interest on said bonds and to pay the principal thereof as the same shall become due, in the manner provided by law for levying taxes for school and school-house purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed February 1, 1888.

[House Bill No. 277]

AN ACT

To authorize the city council of the city of Dayton to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Dayton be and is hereby authorized to transfer the sum of two thousand and fifty dollars from the Wolf creek improvement fund to the bridge fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 3, 1888.

[House Bill No. 43.]

AN ACT

To change the name of William Rhodehamel to William R. Sinks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of William Rhodehamel be changed to the name of William R. Sinks.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[House Bill No. 152].

AN ACT

To authorize the commissioners of Muskingum county, Ohio, to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to build a double track bridge across the Muskingum river from the north end of Underwood street, in the city of Zanesville, in said county, to a point in Falls township on the opposite side of said river, at a cost not exceeding seventy-five thousand ($75,000) dollars; all contracts for erecting the same shall be let according to law; provided, however, before said commissioners shall build said bridge they must obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 2. For the purpose of paying for the construction of the same, the commissioners are hereby authorized to issue bonds of the county at a rate of interest not exceeding six per cent. per annum, interest payable semi-annually; said bonds to be paid within ten years from the date thereof, at the discretion of the commissioners, and the same shall be issued, signed and sold according to law.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby required to levy annually on all the taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. Providing, that said bonds shall not be issued nor said tax levied or assessed until the question shall have been first submitted to the qualified voters of said Muskingum county, at any general election to be held after the spring election of 1888, of which at least twenty days' notice shall be given by sheriff's proclamation. At said election all those

who are in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words: "Issue of Underwood street bridge bonds—Yes;" and all those who are opposed to the issuing of said bonds or levying said tax shall have written or printed on their ballots the words: "Issue Underwood street bridge bonds—No." No bonds shall be issued or tax levied under this act unless a majority of all the votes cast at said election shall be in favor of said issue and levy.

SECTION 5. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[House Bill No. 252].

AN ACT

To provide for the transfer of certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Erie county, Ohio, be and they are hereby authorized to transfer the sum of twenty-eight hundred dollars ($2,800.00) from the sheep fund of the said county to the county road fund of said Erie county.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[House Bill No. 258].

AN ACT

To provide for the care and control of the Mad River Valley and New Carlisle turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all that portion of the Mad River valley and New Carlisle turnpikes in Wayne township, Montgomery county, is hereby constituted a separate road district.

SECTION 2. The county commissioners of said county shall annually

make an appropriation for keeping said road in repair, and shall appoint a turnpike superintendent for said road district, whose term of office, duties, powers, compensation and liabilities shall be the same as prescribed by law for supervisors of roads.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[House Bill No. 289].

AN ACT

To authorize the commissioners of Harrison county, Ohio to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Harrison county, Ohio, be and are hereby authorized to transfer to the bridge fund of said county the following sums: From the infirmary fund three thousand three hundred dollars ($3,300), from the dog tax fund one thousand dollars ($1,000).

SECTION 2. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[House Bill No 201.]

AN ACT

To require the treasurer of Shelby county to pay to the treasurer of the village of Sidney certain taxes hereafter collected.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Shelby county, Ohio, shall cause to be paid over by the treasurer of said county to the treasurer of the village of Sidney, Ohio, a sum equal to two-thirds of all taxes hereafter collected upon the taxable property of said village, for the repairing of im-

proved roads; which sum shall be used by the council of said village for street and road purposes therein.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 10, 1888.

[Senate Bill No. 76.]

AN ACT

To change the name of Mary Ellen Berry.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Mary Ellen Berry, who is now a resident of Montgomery county, be and the same is hereby changed to Mary Ellen Risser.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 21, 1888.

[House Bill No. 220].

AN ACT

To authorize the commissioners of Montgomery county to purchase land adjoining the grounds of the Montgomery county children's home, for the use of such home, to dedicate land for street purposes, and to plat and sell certain lands not necessary for the use of said children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Montgomery county be and they are hereby authorized and empowered to purchase a certain tract of land, containing about two and one-third acres, north of and adjoining the grounds of the Montgomery county children's home, for the use of such home, at a cost not exceeding seven thousand dollars; and for the purpose of providing for the payment thereof, the commissioners are hereby authorized to issue the bonds of said Montgomery county for a sum not exceeding seven thousand dollars, to bear interest at the rate of six per cent. per annum, payable semi-annually, payable at such times as said commis-

sioners may deem best, not exceeding four years from the date of their issue, and said bonds shall be sold according to law; and for the purpose of paying said bonds and the interest thereon, as the same shall respectively become due, the commissioners are hereby authorized to levy, annually, a tax sufficient to pay the same, on all the taxable property of the county, in addition to the levies now authorized by law.

SECTION 2. If, in the judgment of the commissioners of said county, the interest of said county will be subserved thereby, they are hereby authorized to dedicate to the public use, for street purposes, so much of the said home grounds and of the land hereby authorized to be purchased, as may be necessary for the purpose of opening and extending Conover street, in the city of Dayton, its full width through said home grounds and land hereby authorized to be purchased, and to subdivide and plat into lots, of the average size of lots in the vicinity, so much of the said grounds and land abutting on Broadway street and on Conover street, so opened and extended, in the city of Dayton, as may, in their judgment, not be necessary for the use of said children's home.

SECTION 3. The commissioners are hereby authorized to sell and convey by deed to the purchaser or purchasers the grounds and land so subdivided into lots and platted. Such sale shall be by public auction, at such time and place and upon such terms of payment as the commissioners may determine, and due notice thereof shall be given by advertisement in not less than two newspapers, of opposite politics, of general circulation, in the city of Dayton, for four consecutive weeks, immediately preceding such sale. If the terms of such sale shall be upon deferred payments, such deferred payments shall be secured by mortgage upon the premises sold, and bear interest at the rate of six per cent. per annum, payable annually. The proceeds arising from such sale shall be applied, if necessary, to the payment of the purchase money for the land hereby authorized to be purchased, and to the improvement and extension of the buildings of said children's home, and for no other purpose whatever.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 20, 1888.

[House Bill No. 218].

AN ACT

To authorize the commissioners of Morgan county, Ohio, to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Morgan county, Ohio, be and are hereby authorized, when, in their judgment, the public interest, will be subserved thereby, to build a bridge across the Muskingum river at Stockport, Windsor township, Ohio, at a cost not to exceed twenty-five thousand

dollars ($25,000); all contracts for erecting the same shall be let according to law; provided, however, before the commissioners shall build said bridge they must obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 2. For the purpose of paying for the construction of said bridge the commissioners are hereby authorized to issue bonds of the county, at a rate of interest not exceeding six per cent. per annum, interest payable annually; said bonds shall be issued in such sums as the commissioners may determine, but shall not be sold for less than their par value; said bonds to be paid within ten years of the date thereof, at the discretion of the commissioners, and the same shall be issued, signed and sold according to law.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby required to levy, annually, on all taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 266].

AN ACT

To repeal an act to authorize the county commissioners of Lucas county to build a court house, passed May 2, 1885 (O. L., v. 82, p. 412).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one (1), two (2), three (3) and four (4) of an act to authorize the county commissioners of Lucas county to build a court house, passed May 2, 1885 (O. L., v. 82, p. 412), be and the same are hereby repealed.

SECTION 2. That this act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 198].

AN ACT

To authorize the council of the village of Cardington, Morrow county, Ohio, to transfer money from the general expense fund and police fund to the street improvement fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Cardington, Morrow county, Ohio, be and it is hereby authorized to permanently transfer from the general expense fund of said village to the street improvement fund, the sum of five hundred dollars, and from the police fund to the street improvement fund, the sum of four hundred dollars, and from the interest fund to the street improvement fund, the sum of one hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888,

[House Bill No. 314].

AN ACT

To authorize the council of the city of Urbana, Champaign county, Ohio, to transfer money from the railroad bridge fund to the corporation, light, sewerage, fire, watch and sinking funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Urbana, Champaign county, Ohio, be and it hereby is authorized to transfer from the railroad bridge fund of said city, the sum of eight thousand dollars ($8,000), to the following funds: To the corporation fund, twenty-five hundred dollars; to the lighting fund, two thousand dollars ($2,000); to the sewerage fund, five hundred dollars ($500); to the fire fund, one thousand dollars ($1,000); to the watch fund, one thousand dollars ($1,000); to the sinking fund, one thousand dollars ($1,000).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 260]

AN ACT

To change the name of Jennie Flanagan, of Beaver township, Noble county, to Jennie Reed.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Jennie Flanagan, of Beaver township, Noble county, Ohio, be change[d] to that of Jennie Reed.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 317].

AN ACT

To authorize the board of education of the union school district of Marion, Marion county, Ohio, to issue bonds for the purpose of erecting a school building in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the union school district of Marion, Marion county, Ohio, be and is hereby authorized and empowered to issue the bonds of said district for an amount not exceeding twelve thousand dollars ($12,000), for the purpose of erecting a school building in said union school district.

SECTION 2. Said bonds shall be issued by the board and signed by the president thereof, and countersigned by the clerk of the board, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually. The bonds shall be issued in such denominations as the board may, by resolution, determine, and payable in such installments, semi-annually, as the board may deem best; but all the bonds shall be made payable within six years after the date of the issue thereof, and shall be sold for not less than their par value.

SECTION 3. The clerk of the board of education shall keep a complete record of said bonds, showng the amount of each bond issued, the date thereof, and when due, number of bond and the rate of interest, and when the bonds are paid they shall be canceled, and the fact of such cancellation noted on the record.

SECTION 4. That for the purpose of paying the interest on said bonds, and the principal of the same as they become due, the board of education is hereby authorized and empowered to levy a tax annually, of not exceeding one mill on the dollar, on all the taxable property within said

district, in addition to the taxes now authorized to be levied by law for school and school house purposes.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 322].

AN ACT

To authorize the council of the village of Nelsonville to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Nelsonville, in Athens county, be, and hereby is, authorized to transfer from the police fund of said village to the lamp and supply fund thereof, the sum of six hundred dollars.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 22, 1888.

[House Bill No. 376].

AN ACT

To authorize the trustees of Scipio township, Seneca county, Ohio, to build a soldiers' monument in Farewell Retreat cemetery in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Scipio township, Seneca county, Ohio, are hereby authorized to issue the bonds of said township in a sum not to exceed fifteen hundred dollars ($1,500), for the purpose of building and constructing a soldiers' monument in Farewell Retreat cemetery, in said township; said bonds shall be in denomination of one hundred dollars each, payable as follows: five hundred dollars ($500), August 1st, 1889: five hundred dollars ($500), August 1st, 1890; and five hundred dollars. August 1st, 1891; and said bonds shall bear interest at the rate of six per cent. per annum.

SECTION 2. Said bonds shall be signed by the trustees of said township, or any two of them, and countersigned by the clerk of said township, and shall be sold according to law.

SECTION 3. For the purpose of paying the principal and interest of said bonds each year, the trustees of said township shall annually levy a tax upon all the taxable property of said township.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 23, 1888.

[House Bill No. 371].

AN ACT

To authorize the council of the city of Findlay to make the interest on the water-works bonds of said city, as authorized at the general election held November 8, 1887, payable semi-annually.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Findlay in Hancock county, Ohio, be authorize[d] to make the interest of the water-works bonds of said city, as authorized by a vote of the electors of the city at the general election held November 8, 1887, for the construction of water-works, payable semi-annually, instead of annually.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed February 23, 1888.

[House Bill No. 378].

AN ACT

To authorize the board of education of Pioneer special school district of Williams county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Pioneer special school district in Pioneer, Williams county, Ohio, be and is hereby authorized to borrow

any sum not exceeding eight thousand dollars, for the purpose of building and furnishing a school house in said district, to be built upon the present school house site.

SECTION 2. That for the purpose aforesaid, the said board is authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars, and not more than one thousand dollars, bearing interest at a rate not to exceed six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding twelve years from the respective dates thereof, as said board may determine. Said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said board, have interest coupons attached.

SECTION 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy annually, a tax not to exceed eight mills on the dollar of valuation of the property within said district for twelve years in addition to the levy now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 142].

AN ACT

To authorize the commissioners of Franklin county to purchase additional ground for the children's home in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Franklin county be and they are hereby authorized, if in their opinion the best interests of the children's home located in said county demand it, to purchase additional ground for the children's home in said Franklin county, now located and built and owned by said county, and the said commissioners of said county for that purpose are authorized to issue the notes of said county to the extent of such purchase in anticipation of the collection of tax levied, or to be levied, for the purchase of said additional land and the erection of improvements thereon. Said notes to bear interest at a rate not to exceed six per cent. per annum, interest payable annually and said notes shall not be sold for less than their par value. Said notes to be negotiable, and are to be signed by the county commissioners and countersigned by the auditor of said county, who shall keep a record of said notes issued under and by virtue of this act, to whom issued, when and to whom payable, and when due.

SECTION 2. For the purpose of paying the principal and interest on said notes, said commissioners are hereby authorized and empowered, in

addition to the other levies authorized by law, to levy a tax for four years upon all the taxable property of said Franklin county, not to exceed one-tenth of one mill each year upon each dollar of valuation thereof.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 343].

AN ACT

To amend an act entitled "an act to authorize the incorporated village of Camden, Preble county, Ohio, to borrow money and issue bonds for certain purposes therein named," passed March 24, 1885 (82 v., p. 327).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the above recited act be amended so as to read as follows:

SEC. 1. The council of the incorporated village of Camden, Preble county, Ohio, be and the same is hereby authorized to build a town hall, engine-room, village prison and council chamber in and for said village, and to raise money for that purpose, not exceeding ten thousand dollars ($10,000), in the manner hereinafter provided.

SEC. 2. The council of said village, when authorized as provided in section five of this act, may issue bonds not exceeding in amount the sum of ten thousand dollars ($10,000), which shall not be sold for less than their par value, the proceeds of which shall be used in payment for materials, work and labor in the construction and furnishing of said town hall, engine-room, village prison and council chamber.

SEC. 3. Said bonds shall be signed by the mayor of said incorporated village, and countersigned and registered by the clerk of said village, and may be issued in denominations of not less than one hundred dollars or more than one thousand dollars, bearing interest at the rate of six (6) per cent. per annum, payable annually. The principal and interest to be paid in not less than one year nor more than ten years from the time of issuing said bonds, and in such amounts each year as the council of said village may direct.

SEC. 4. For the payment of the principal and interest of said bonds, as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all the taxable property within the corporate limits of said village in such amounts as will in each year meet the principal and interest then falling due on said bonds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SEC. 5. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified

electors of such village at a special e'ection, to be held at such time as the council of such village shall appoint. The tickets voted shall have written or printed thereon the words "Authority to issue bonds—Yes;" or "Authority to issue bonds—No." If the proposition to issue bonds be approved by a majority of those voting upon the proposition, the village shall have authority to issue such bonds for the purpose named, as provided in this act.

SEC. 6. The council of such village, within ninety days after the passage of this act, shall publish notice of the submission of such question by posting written or printed notices in not less than ten public places within the corporate limits of such village, for at least ten days prior to such election, and such election shall be held in all respects, not otherwise herein provided, as municipal elections are now required by law to be held in such village.

SECTION 2. That said original act, passed March 24, 1885, is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 129].

AN ACT

To amend sections nine (9) and eleven (11) of the act authorizing the leasing of certain land in the county of Washington, granted for religious purposes, passed February 21, 1805 (Ohio Laws, vol. 3, page 200).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections nine (9) and eleven (11) of an act authorizing the leasing of certain lands in the county of Washington for religious purposes, passed February 21st, 1805, be so amended as to read as follows:

SEC. 9. (1.) That the treasurer of Washington county shall be ex-officio treasurer of the board of ministerial trustees for managing lands granted by congress for religious purposes in section 29, town 2, range 8 of the Ohio company's purchase, in Marietta township, in said county, and the ministerial rents due on said lots and parcels of land, in said section 29, shall be paid in full, annually, to the said treasurer on or before the 20th day of December.

(2) That immediately upon the passage of this act the said trustees shall prepare a list of all lots and parcels of land held by them as such trustees, showing the names of the lessee[s] and the amount of ministerial rents charged against each of said lots and parcels of land, and shall certify said list to the county auditor of said county, who shall enter the same on a separate duplicate.

(3) The county auditor of said county shall open an account with

said ministerial trustees in which, immediately after his semi-annual settlement with the treasurer of said county, in February of each year, he shall credit said trustees with the amount so collected for their use, and on the certificate or order of said trustees he shall issue warrants on the county treasurer of said county, for the amounts so certified or ordered to be paid by them and shall charge them with the amounts of such warrants.

(4) The treasurer of said county shall settle annually with the said county auditor at the February settlement, and immediately thereafter the said auditor shall certify to said trustees the amount of money standing to their credit, and the names of all delinquent lessees.

The treasurer of said county shall be allowed the same compensation for collecting said rents that he is by law allowed for collecting other funds, and the auditor of said county shall be allowed eight cents for each parcel or lot of land annually entered in said duplicate.

(5) Upon receipt of the list of delinquent lessees from the county auditor the trustees may cause the clerk to issue a warrant of distress directed to a constable of Marietta township, commanding him to levy and collect the rent out of goods and chattles of the delinquent, and the clerk shall receive 25 cents for such warrant, and the constable such fees as are allowed by law for like services, to be collected with the rent.

If no goods or chattels can be found the trustees are empowered to re-enter upon the land, and the improvement shall be sold at public auction to satisfy such rent and costs; in which case the said trustees shall give at least fifteen days' public notice of the time and place where the improvement shall be sold, and in case same should sell for more than the rent and costs, or if there should be only a part sold, the over plus, if in money, shall be paid over to the delinquent lessee, and if in lands, it shall be leased to such delinquent.

SEC. 11. It shall be the duty of the trustees aforesaid, annually, in the month of March, or as soon thereafter as practicable, to issue their orders or certificates to the county auditor of said county, in favor of such committee as a majority of each religious society shall appoint for that purpose, for the proportional part of the rents and profits of the said lots and parcels of land, due to such society agreeably to their number duly certified as provided by law.

SECTION 2. That nothing contained in this act shall impair the validity of the leases now outstanding, in which the lessees are required to pay the annual rent to the treasurer of said board of trustees; the object of this act being to secure a more prompt and efficient collection of said ministerial rents than can now be made by the treasurer of said board, and secure an earlier distribution of said rents among the religious societies that are the beneficiaries of the trust.

That section (9) nine and eleven of said act, of which this act is amendatory, passed February 21, 1805, and all acts or parts of acts not consistent with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 244].

AN ACT

To authorize the council of the village of Elyria, Lorain county, Ohio, to issue bonds for the purpose of paving or flagging the streets and avenues and to repeal an act passed April 21, 1886 (83 v., page 322).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Elyria, Lorain county, Ohio, are hereby authorized to issue the bonds of said village in a sum not exceeding twenty-five thousand dollars, in denominations of not more than one thousand dollars each, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at a period not exceeding twenty years from the date of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be issued and sold at such times and in such amounts as the council of said village shall determine by ordinance.

SECTION 2. The money arising from the sale of said bonds shall be used by the council of said village for the purpose of paving or flagging the streets and avenues thereof with stone, and for no other purpose whatever.

SECTION 3. Whenever the bonds of said village shall be issued as provided by this act, it shall be the duty of said council to levy a tax on all the taxable property of said village sufficient to pay the interest accruing semi-annually on said bonds so issued, and to create a sinking fund for the payment of the principal thereof, as the same shall fall due.

SECTION 4. Before said bonds shall be issued, the council of said village shall submit the question of such issue and taxation to the qualified electors of said village, at a general election held in said village, or at a special election called for that purpose, at the usual place of holding elections, of which proper notice shall be given in either case by publication in two newspapers printed in said village, for two consecutive weeks prior to such election; those electors who favor the issue of said bonds shall have written or printed on their ballots the words, "Paving or flagging tax—Yes;" and those who are opposed to such issue shall have written or printed on their ballots the words "Paving or flagging tax—No;" and a majority of the votes cast at said election in favor of said paving or flagging tax shall authorize the issue of said bonds and the levy of said tax by said council.

SECTION 5. The act passed April 21, 1886 (83 v., p. 322), is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 3, 1888.

[House Bill No. 364].

AN ACT

To authorize the board of education of the city of Urbana, Ohio, to issue bonds to redeem outstanding bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Urbana, Champaign county, is hereby authorized and empowered to issue bonds for eleven thousand seven hundred and twenty dollars ($11,720) to redeem eleven thousand seven hundred and twenty dollars ($11,720) of outstanding bonds of said board of education, issued for the construction of the Urbana high school building, falling due in the years 1887 and 1888, said bonds to be payable at such time and place, not exceeding ten years, as said board of education may determine. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, interest payable semi-annually, January and July. Said bonds shall be issued in such amounts as said board of education may determine. Said bonds shall not be sold for less than their par value, and the proceeds arising therefrom shall be used in payment of said outstanding bonds, and for no other purpose.

SECTION 2. Said board of education shall cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for levying taxes for school and school house purposes.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 5, 1888.

[House Bill No. 426].

AN ACT

To authorize the council of the village of Taylorsville, Muskingum county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Taylorsville, Muskingum county, is hereby authorized and empowered to transfer from the corporation fund to the water supply fund, one hundred dollars; from the corporation fund to the street and alley fund, two hundred and fifty-eight and 5-100 dollars.

SECTION 2. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 5, 1888.

[House Bill No. 438].

AN ACT

To authorize the village of Conneaut, Ashtabula county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Conneaut, Ashtabula county, Ohio, be and is hereby authorized to transfer the sum of five hundred dollars ($500) from the police fund to the fire and water fund; also to transfer the sum of four hundred dollars ($400) from the corporation fund to the fire and water fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 5, 1888.

[House Bill No. 422].

AN ACT

To authorize the village of Fayette, Fulton county, Ohio, to increase its educational facilities and to issue the bonds of the corporation to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Fayette, Fulton county, Ohio, be and they are hereby authorized to issue the bonds of said village in denominations of not less than one hundred dollars nor more than five hundred dollars each, and in the aggregate not to exceed the sum of twelve thousand dollars, for the purpose of raising money to purchase a site and build and furnish school buildings in said village, which bonds shall have proper interest coupons attached, and bear a rate of interest not exceeding six per cent. per annum, payable annually, at such place as the council of said village may by ordinance or resolution determine.

SECTION 2. Said bonds shall be signed by the mayor of said village, and countersigned by the corporation clerk of said village, and they shall be issued in such denominations respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof, and shall not be sold for less than their par value with the accrued interest; and said bonds may, by ordinance or resolution of the council, be sold at private sale and without advertising. The principal of said bonds shall be payable at such place and times as the council may determine by ordinance or resolution, not exceeding fourteeen years from date thereof; and said council is hereby authorized to levy a tax annually on all the taxable property of said village of Fayette, to pay said bonds and the interest

thereon as the same may become due, not exceeding ten (10) mills on the dollar in any one year, in addition to the maximum rate authorized by law.

SECTION 3. It shall be the duty of the common council of said village of Fayette to submit said proposition to issue said bonds and levy said tax, to the qualified electors of said village at a special election to be called for that purpose. Fifteen days' notice of the proposed submission of said proposition to levy said tax and issue said bonds shall be given by posting notices thereof in five of the most public places in said village; the form of the ballot of said election on said proposition shall be as follows: "For issue of bonds—Yes"; "For issue of bonds—No;" and if three-fifths or more of the qualified electors at said election shall vote in favor of said proposition, said common council shall be authorized to issue said bonds, and to levy said tax, and not otherwise.

SECTION 4. Said school buildings shall be constructed and furnished, and, when so constructed, shall be controlled by the common council of the village of Fayette the same as other village property, but the management thereof may, by ordinance or resolution of said common council, be vested in a board of trustees, the election and qualification of whom shall be provided for in said ordinance or resolution.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 5, 1888.

[Senate Bill No. 178].

AN ACT

To authorize the village council of the village of Franklin, Warren county, Ohio, to issue bonds and levy a tax for the purpose of completing the system of public water-works now in course of construction in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Franklin, Warren county, Ohio, be and the same is hereby authorized to issue the bonds of said village in an aggregate sum not exceeding twenty thousand dollars, bearing interest at a rate not exceeding five per centum per annum from date of issue (said interest payable semi-annually), for the purpose of completing the system of public water-works now in course of construction in said village, the construction of said system of public water-works having been authorized by an act of the general assembly of the state of Ohio, entitled "an act to authorize the village council of the incorporated village of Franklin, Warren county, Ohio, to issue bonds and levy a tax for the purpose of providing said village with a system of public water-works," passed May 11, 1886.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof, and shall not be sold for less than their par value, and shall be issued at such times and in such amounts, and mature at such dates respectively, as the council of said village shall determine by ordinance; and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and the interest thereon, not to exceed three mills on the dollar in any one year.

SECTION 3. The funds realized from the sale of said bonds shall be placed in the corporation treasury of said village to the credit of the public water-works fund thereof, to be drawn therefrom and used, by the trustees of the said public water-works, for the purpose of completing the said system of public water-works now in progress of construction in said village.

SECTION 4. For the purpose of carrying out the provisions of this act, the council and the clerk, and other officers of said village, shall be exempt from the provisions of section 2702 of the Revised Statutes of Ohio, as amended April 18, 1883.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 125].

AN ACT

[To amend an act] authorizing the commissioners of Montgomery county to build a bridge across Mad river, passed April 19, 1883, and amended and supplemented March 16, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act to authorize the commissioners of Montgomery county to build a bridge across Mad river, passed April 19, 1883, and amended and supplemented March 16, 1887, be amended so as to read as follows:

SEC. 1. That the commissioners of Montgomery county, Ohio, be and they are hereby authorized and empowered to build a bridge across Mad river at or near the point where the county road crosses said Mad river, at or near its mouth, and west of the Dayton and Michigan railroad bridge, and to construct the necessary approaches thereto; and for the purpose of raising the money to build said bridge and construct said approaches, said commissioners are hereby empowered to issue the bonds of said county, not to exceed twenty thousand ($20,000) dollars, in sums not less than one hundred, nor more than one thousand dollars each, and said bonds shall be payable at such times as said commissioners may deem most advantageous, not exceeding seven years from the date of their

issue, and said commissioners are authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SEC. 2. Said bonds shall be signed by the commissioners and countersigned by the auditor of said Montgomery county, who shall keep a record of all bonds issued under and by virtue of this act.

SEC. 3. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on the grand duplicate of said Montgomery county, Ohio, sufficient in amount to pay said interest and principal, and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 122].

AN ACT

To authorize the board of education of Chardon village, Geauga county, to issue bonds for the redemption of other bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Chardon, and the territory annexed for school purposes, of Geauga county, Ohio, for the purpose of raising money to redeem the bonds of said board of education, issued under the act of April 16, 1878, entitled "an act to authorize the board of education of Chardon school district number one, in the county of Geauga, to issue bonds to cancel certain outstanding bonds, refund a school house debt, and provide for payment of the same," and now outstanding, be and is hereby authorized and empowered to issue bonds, not exceeding the sum of eleven thousand dollars, and at a rate of interest not exceeding six per cent. per annum, interest payable semi-annually, said bonds to be made payable in a period of time not exceeding ten years, and redeemable at the pleasure of the board, at any time after one year; said bonds to be for such amounts as said board may determine, but not in the aggregate to exceed the amount of bonds outstanding at the time of the issuing of said new bonds or the sum of eleven thousand dollars as aforesaid.

SECTION 2. Said bonds shall be signed by the president of said board of education and attested by the secretary thereof, and may be sold or may be exchanged for the bonds issued under the aforesaid act of April 16, 1878, but shall not be disposed of at less than their par value.

SECTION 3. For the payment of bonds issued under the provisions of

this act, and interest thereon, said board of education is hereby authorized to levy a tax annually, in addition to other levies for school purposes, on all taxable property in said village and territory annexed for school purposes, said levies to be certified by said board of education to the county auditor, by whom the same shall be entered and assessed upon the proper books of said county, and the same collected as other taxes; provided, that the levy in any one year shall not exceed seven mills on the dollar of the valuataion of taxable property of said village and annexed territory, in addition to the amount that may be otherwise authorized by law to be levied for educational purposes. No part of the money raised by such levy shall be used for any other purpose than the payment of bonds issued in pursuance of this act, and no part of the money received from the sale of bonds herein provided for, shall be used for any other purpose than for the redemption of the bonds now outstanding, for which said new issue is authorized to be made.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 123].

AN ACT

Supplementary to "an act to authorize the trustees of Warren township, Trumbull county, Ohio, to levy a tax for the purchase of a lot and the erection of a soldiers' monument thereon."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the committee appointed under the act entitled "an act to authorize the trustees of Warren township, Trumbull county, Ohio, to levy a tax for the purchase of a lot and the erection of a soldiers monument thereon," passed March 20, 1885, be and the same are hereby authorized and directed to omit the purchase of a lot or lots of Oakwood cemetery association, and the erection of a soldiers' monument thereon.

SECTION 2. That the said committee be authorized and directed to select and obtain in or near the public park of the city of Warren, a suitable location for the erection of said monument, and to proceed to erect said monument on the location so secured, according to the provisions of said act of March 20, 1885; provided, that the question of so changing the location of said monument shall first be submitted to a vote of the qualified electors of said Warren township, at the next general election held therein, of which vote ten days' notice shall be given by the trustees of said township, in some newspaper of general circulation therein, and that at such election the ballots shall read, "Change of location of monu-

ment—Yes;" or, "Change of location of monument—No;" and that if a majority of those voting on this proposition vote "yes," then said committee shall carry out the provisions of this act, together with all the provisions of said original act not inconsistent herewith; but if a majority voting on said proposition vote "no," then said committee shall proceed under the said original act as therein provided.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[Senate Bill No. 78].

AN ACT

To authorize the board of education of Richwood village school district, Richwood, Union county, Ohio, to issue bonds to pay off an indebtedness, and for purchase of heating apparatus for the village school house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Richwood village school district of the incorporated village of Richwood, Union county, Ohio, be and the same is hereby authorized to issue bonds for the payment of an indebtedness, and for the purchasing of a new furnace and heating apparatus for said village school house in said district of the following denominations, to-wit: One bond of five hundred dollars, due March 15, 1889; one bond of five hundred dollars, due March 15, 1890; one bond of five hundred dollars, due March 15, 1891, and one bond of five hundred dollars, due March 15, 1892; each bond bearing six per cent. interest, with interest payable annually, payable at such place as the said board may designate, and said bonds not to be sold at less than par.

SECTION 2. The said board shall have the power to levy such tax upon taxable property of said village school district each and every year after the issue of said bonds, as will pay said bonds and the interest thereon as they respectively fall due.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 6, 1888.

[House Bill No. 441].

AN ACT

To authorize the auditor of Clinton county to refund certain taxes erroneously levied and collected under an act passed March 29, 1875 (O. L., vol. 72, page 93).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of Clinton county is hereby authorized and empowered to refund to the tax-payers within the limits of the territory taxed for the construction of a free turnpike on the Cincinnati state road, whose lands, lots and personal property were taxed for the year 1884, the sum of twenty-three hundred, eighty-three and 4-100 ($2,383.04) dollars. Said amount of taxes having been raised in the year 1884, by an erroneous and unnecessary levy made by the pike commissioners of said free turnpike when no part of the same was needed, as sufficient taxes had been levied to complete said free turnpike and liquidate all indebtedness against the same.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 318].

AN ACT

To authorize the board of county commissioners of Perry county, Ohio, to issue bonds for the purpose of completing, furnishing, heating, and for certain other purposes therein named, the court-house and jail now being erected at New Lexington, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That for the purpose of providing for the heating, plumbing, lighting, sewerage, grading, painting, furnishing and completing of the court-house and jail now being erected at New Lexington, Perry county, Ohio, the board of commissioners of said county are hereby authorized and empowered to issue the bonds of said county in such sums as said board of commissioners may determine, not to exceed in the aggregate twenty-five thousand ($25,000) dollars, and in denominations not less than one hundred, nor more than one thousand dollars, payable annually, in such sums as said commissioners may prescribe, within eleven years from the date of said indebtedness, said bonds to bear interest at the rate of six (6) per cent. per annum, payable semi-annually, both principal and interest payable at the county treasurer's office of said Perry county. Said bonds to be sold for not less than their par value, with accrued interest, and in such manner as said commissioners may prescribe; public notice thereof shall

be given by them in such newspapers in said Perry county, and elsewhere, as they may designate.

SECTION 2. Said bonds so issued with interest coupons attached shall be signed by said commissioners, or a majority of them, and countersigned by the county auditor, who shall keep a complete record of the same in a book provided for that purpose.

SECTION 3. For the purpose of paying the interest on said bonds as the same accrues, and the principal at maturity, said commissioners shall annually, at their June session, levy a tax in addition to the taxes now authorized by law upon all the taxable property of said county.

SECTION 4. The question of issuing said bonds and levying said tax may, if in the judgment of said commissioners the best interests of the public require it, first be submitted to a vote of the qualified electors of said county at any regular spring or fall election, or at a special election to be ordered for that purpose, as said commissioners may determine, to be held at the usual places of holding elections in said county; provided, that not less than fifteen days' previous notice shall be given by said commissioners of the time and place of holding said election by publication in at least three newspapers published, and of general circulation, in said county. The tickets to be voted at said election shall have written or printed, or partly written and partly printed thereon, the words: "Additional appropriation—Yes"; or "Additional appropriation—No." If a majority of the votes cast at said election on said proposition shall be in favor thereof, then said board of county commissioners may proceed to issue said bonds.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 345].

AN ACT

To authorize the village of Fostoria, Ohio, to issue and sell bonds and levy a tax for the purpose of building a vault and making other necessary improvements upon and about the Fostoria cemetery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the common council of the village of Fostoria, Ohio, be and hereby is authorized, empowered and directed to issue and sell the bonds of said village in an amount not exceeding four thousand dollars ($4,000), for the purpose of building a cemetery vault and making other necessary improvements upon and about the grounds of the Fostoria cemetery. Said bonds shall not be sold at less than par value, and shall be of such denomination, bear such rate of interest, not exceeding six per cent. per an-

num, payable semi-annually, and mature at such times as the council may determine.

SECTION 2. That for the purpose of paying said bonds and interest, the council of said village is authorized and directed to levy a tax not exceeding one-third (⅓) of a mill on the dollar, upon all the taxable property of said village, and such levy may, at the discretion of the council, be in addition to the limitation otherwise allowed by law; and such tax shall be levied and collected as other taxes.

SECTION 3. Before such bonds shall be issued or tax levied, the question of such issue and levy shall be submitted to a vote of the qualified electors of said village, at the next general election to be held in said village. Provided, notice of such election shall be published in two newspapers, published and of general circulation in said village, for at least twenty days prior to the holding of the same. The tickets voted at such election shall have written or printed thereon the words "Cemetery bonds and tax—Yes;" or "Cemetery bonds and tax—No." If a majority of those voting upon the proposition shall be in favor of the same, the council of said village shall have authority and are required to issue such bonds and levy such tax.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 384].

AN ACT.

To authorize the village of West Cleveland, to issue bonds for the redemption of outstanding water-works bonds, and the extension of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of West Cleveland, Cuyahoga county, Ohio, is hereby authorized to issue bonds not exceeding in amount the sum of twelve thousand dollars, in such denominations as may be ordered by said council, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at such times not less than 15 years from date, as the council may, by ordinance, prescribe.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time, as will best carry out the purpose for which they are issued.

SECTION 3. The proceeds of such bonds shall be used for the purpose of redeeming bonds for water-works of said village now outstanding, and the further extension of water-pipe and works in said village.

SECTION 4. For the purpose of paying the interest on said bonds and the principal thereof, the council of said village is hereby authorized to levy annually a tax upon all the taxable property of the village of West Cleveland, in addition to the amount already allowed to be levied by law, sufficient to pay the interest and to create a sinking fund to pay the principal thereof, as the same shall fall due.

SECTION 5. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 477].

AN ACT

To authorize the commissioners of Scioto county to issue bonds to raise money to redeem fifty thousand dollars of free turnpike bonds falling due January 1st, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Scioto county, for the purpose of raising money to redeem fifty thousand dollars of the bonds of said county, issued under the act of April 19th, 1872, entitled "an act supplemental to an act entitled an act to authorize the location and construction by the county commissioners of Scioto county of free turnpike and plank roads," passed April 5th, 1866, falling due January 1st, 1889, be and they are hereby authorized to issue the bonds of said county, not exceeding in amount fifty thousand dollars; such bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be payable at such time and place as the commissioners may determine; but no part thereof shall be payable at a later date than January 1st, 1893, and no part of the proceeds of said bonds shall be used for any purpose other than as herein specified.

SECTION 2. That for the payment of said bonds and the interest thereon, the commissioners shall levy such taxes annually as will pay the interest on said bonds and such part of the principal as may become due from year to year, and so continue, until such indebtedness shall be entirely discharged.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[Senate Bill No. 121].

AN ACT

Authorizing the commissioners of Fayette county, to issue bonds for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners ot Fayette county, Ohio, be and are hereby authorized to issue bonds of said county in an amount not exceeding sixty thousand dollars, for the purpose of meeting and providing for the payment of the existing indebtedness of said county for bridge, jail and general county purposes, and for the refunding of certain court house bonds maturing not otherwise provided for. Such bonds shall be issued at such time and in such sums as said commissioners may think proper. and shall be made payable at any time within twenty years from date of issue; and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and when so issued shall not be sold for less than par value thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[Senate Bill No. 36.]

AN ACT

To repeal an act to provide for the restoration of certain records in Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act passed April 17, 1885, entitled an act to provide for the restoration of certain records of the county surveyor's office in Hamilton county, destroyed by the burning of the court house of said county, be and the same is hereby repealed.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 361].

AN ACT

To authorize the trustees of Vienna township, Trumbull county, Ohio, to levy a tax for the erection of a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Vienna township, Trumbull county, Ohio, are hereby authorized to levy a tax on all the taxable property of said township, not exceeding in amount the sum of one thousand dollars ($1,000), for the purpose of erecting in said township a monument to the memory of the deceased soldiers of said township; provided, that the question of levying said tax shall first be submitted to a vote of the qualified electors of said township of Vienna, at the regular spring election of 1888, of which notice shall be given by said trustees at least ten days before said election, by written or printed notices posted up in not less than ten places in different parts of said township; and at such election the ballots shall have written or printed thereon, "Monument tax—Yes"; or "Monument tax—No"; and if a majority of those voting on the proposition vote "Yes," then it shall be the duty of the said township trustees to make return of said levy to the auditor of said county, to be by him placed on the duplicate of said township and collected as other taxes.

SECTION 2. Said monument shall be erected by and under the supervision of the trustees of said township of Vienna, as soon as practicable after the amount of money raised by said levy has become available.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 359].

AN ACT

To authorize the commissioners of Preble county, Ohio, to provide for the deficiency in the county fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Preble county, Ohio, for the purpose of meeting and providing for a deficiency in the county fund of said county, are hereby authorized to issue bonds in an amount not exceeding nine thousand dollars; said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations from fifty dollars ($50.00) to one thousand dollars ($1,000) each, as the commissioners may determine, and shall not be sold for less than their par value; one-fourth of the amount of said bonds shall be due and payable February 15, 1889, one-fourth August 15, 1889, one-fourth February 15, 1890, and one-fourth August 15, 1890.

SECTION 2. Said commissioners of Preble county shall provide for the payment and redemption of the bonds provided for in section one of this act, and for that purpose they are hereby authorized and required to levy annually, for the years 1888 and 1889, a tax not exceeding three-tenths of one mill on the dollar valuation on all the taxable property of said county, in addition to the taxes now authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 347].

AN ACT

To repeal an act entitled "an [act] to divide Elyria township, Lorain county, Ohio, into two election precincts," passed February 22, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "an act to divide Elyria township into two election precincts," passed February 22d, 1887, be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 259].

AN ACT

To authorize the village of Mt. Gilead, Morrow county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Mt. Gilead, Morrow county, Ohio, are hereby authorized to transfer the sums of one hundred and eighty dollars and thirty-one cents ($180.31) from the sewer fund, and five hundred dollars ($500.00) from the street and sanitary fund, to the fire department fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 362].

AN ACT

To authorize the trustees of Marietta township, Washington county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Marietta township, Washington county, are hereby authorized to transfer the sum of six hundred and seventy-seven dollars and seventeen cents, being the unexpended balance of the veteran bounty fund of said township, from said fund to the general township fund,

SECTION 2. Any claims arising hereafter against said veteran bounty fund shall be paid out of said general fund, not to exceed said sum hereinbefore authorized to be transferred.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 344.]

AN ACT

To authorize the commissioners of Muskingum county, Ohio, to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to build a double track bridge across the Muskingum river, from a point on the farm of Wm. Frazier, in Brush Creek township, on the west side of the river, to a point on the opposite side of said river in Wayne township, on the farm of Wm. Earley, at a cost not exceeding thirty-five thousand ($35,000) dollars; all contracts for erecting the same shall be let according to law; provided, however, before said commissioners shall build said bridge they must obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 2. For the purpose of paying for the construction of the same, the commissioners are hereby authorized to issue bonds of the county at a rate of interest not exceeding six per cent. per annum, interest payable semi-annually; said bonds to be paid within ten years of the date thereof, at the discretion of the commissioners, and the same shall be issued, signed and sold according to law.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby required to levy annually on all taxable property within the

county a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 8, 1888.

[House Bill No. 472].

AN ACT

To authorize the trustees of Butler township, Montgomery Co., O., to permit the building of a hall on the township lot in the village of Vandalia, in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Butler township, Montgomery Co., O., are hereby authorized and empowered to grant permission to "Milton Weaver" post No. 594, grand army of the Republic, to build a hall on the township lot, on which the township house of said township now stands, in the village of Vandalia in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 9, 1888.

[House Bill No. 469].

AN ACT

To authorize the trustees of Burlington township, Licking county, Ohio, to issue bonds and levy a tax for the purpose of erecting a township house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Burlington township, Licking county, Ohio, are hereby authorized and empowered to issue the bonds of said township in such denominations as they may think advisable, and in the aggregate sum not exceeding two thousand dollars ($2,000.00), payable in one, two and three years, bearing interest at the rate of six per cent. per annum from date of issue, payable semi-annually, for the purpose of purchasing a site and erecting a township house thereon in said township; said bonds

shall be signed by the trustees of said township, and countersigned by the clerk thereof, and shall not be sold for less than their par value, and said trustees are hereby authorized and required to levy a tax upon all of the taxable property of said township to pay said bonds and interest, as the same become due, and to make return of said levy to the auditor of said Licking county, to be by him placed on the duplicate of said township, and collected as other taxes.

SECTION 2. The question of issuing said bonds, levying said tax, and of purchasing said site, and erecting said township house, shall be submitted to a vote of the qualified electors of said township, at the regular April election, A. D., 1888, at the usual place of holding elections in said township, of which at least ten days' notice shall be given by posting notices of same in three public places in said township, and at such election the ballots to be voted shall have written or printed thereon the words, "Township house—Yes;" or "Township house—No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to issue said bonds, make said levy, and purchase said site, and erect said township house.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 9, 1888.

[House Bill No. 461].

AN ACT

To divide Harmony township, Clark county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Harmony township, Clark county, is hereby divided into two election precincts, as follows: All that part of said township lying east of the east sectional line of sections nineteen, twenty, twenty-one, twenty-two, twenty-three and twenty-four M.Rs. in said township, is a separate election precinct thereof, designated "Precinct number one" of said township; and all that part of said township lying west of said line is a separate election precinct thereof, designated "Precinct number two" of said township.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 9, 1888.

[House Bill No. 448].

AN ACT

To authorize the council of the village of Moscow, Clermont county, Ohio, to issue bonds and extend wharf.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the incorporated village of Moscow, Clermont county, Ohio, be and is hereby authorized and empowered to issue bonds not exceeding fifteen hundred ($1,500.00) dollars, bearing not more than seven per cent. interest, payable annually, for the purpose of extending the wharf of said village to, and including, the front of Elizabeth street; said bonds to be paid within ten years, and to be paid from the rents of the entire wharf, as provided by existing ordinance for improvement of said wharf. Said bonds to be of the denomination of one or two hundred dollars, as said council may deem best, and not to be sold for less than their par value.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 9, 1888.

[House Bill No. 397]

AN ACT

To authorize the council of the village of Milford, Clermont county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Milford, Clermont county, Ohio, are hereby authorized to transfer the sum of two hundred and 19-100 dollars from the bridge fund of said village, to the general fund thereof; and may also transfer a sum not exceeding two hundred dollars from the police fund, to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 9, 1888.

[Senate Bill No. 160].

AN ACT

repeal an act entitled "an act to create a sub-school district in Jackson township, Coshocton [county], Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act of January 21, 1887, entitled "an act to create a sub-school district in Jackson township, Coshocton county, Ohio," be and the same is hereby repealed.

SECTION 2. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 12, 1888.

[Senate Bill No. 75].

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient free turnpike on the old Hillsboro and Ripley state road from the point at South Fincastle, in Eagle township, where the railroad crosses said state road; thence in a southerly direction with the line of the present road as it passes near the residence of William Rhoten to the present terminus of the free turnpike, near the residence of Peter Schreickler, in Jackson township.

SECTION 2. Twenty per centum of the costs of the construction of said free turnpike shall be paid by a tax on all the taxable property within one mile of said free turnpike, the distance to be measured from the sides of said free turnpike and not from the termini, and eighty per centum of the costs of the construction of said free turnpike shall be paid by a tax on all the taxable property of the county, and all other costs connected with the establishing and construction of said free turnpike shall be paid for by the county.

SECTION 3. The said commissioners are hereby authorized and required to appoint three judicious, disinterested landholders of the county as viewers, and a competent surveyor, whose duty it shall be to measure and lay off in sections of not less than one-half mile the road thus sought to be improved, and they shall also ascertain the lands, lots and parcels of land lying within one mile of said free turnpike and subject to taxation for the payment of said twenty per centum, and they shall also ascertain the resident taxpayers within said taxing district, and all persons subject to taxation within said district. Said viewers and surveyor shall be sworn to honestly and faithfully discharge the duties incumbent upon

them; they shall make their report in writing within a reasonable time, to be fixed by said commissioners; the commissioners may for good cause set the said report aside and order another view and measurement, by the same viewers and surveyor, or by other equitable viewers and surveyor, and the said commissioners shall have jurisdiction at all times to make all proper corrections in regard to the lands and persons within said district and sought to be taxed.

SECTION 4. The said commissioners shall, by order entered on their journal, determine the time in which the said twenty per centum shall be paid, which shall not be less than five years nor more than ten, and an equal part of said twenty per centum shall be levied and collected each year, and the said commissioners are authorized and required each year to make such levy upon all the taxable property within said taxing district, until the whole twenty per centum is fully paid; and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and they shall in like manner levy upon all the taxable property of the county the eighty per centum of the costs of said construction, so that the same will be paid in not less than five years nor more than ten.

SECTION 5. For the purpose of paying for the construction of said free turnpike as the work progresses, and when completed, the said commissioners are hereby authorized and empowered to issue the bonds of the county, payable in such time as said commissioners may determine, but not longer than ten years; and said commissioners shall sell said bonds for not less than their par value, and they shall bear not to exceed six per cent. interest, per annum, interest payable semi-annually.

SECTION 6. In the letting of the contract for the furnishing of material and the construction of said free turnpike, the said commissioners shall be governed by the laws of Ohio in regard to the letting of contracts for the construction of free turnpikes.

SECTION 7. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 12, 1888.

[House Bill No. 460].

AN ACT

To authorize the village of Ashtabula, in the county of Ashtabula and state of Ohio, to borrow money and issue bonds therefor, for the purpose of purchasing or condemning lands and making certain improvements thereon, to be used for a new swing bridge across Ashtabula creek at Ashtabula harbor and within said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the village of Ashtabula, in the county of Ashtabula and state of Ohio, be and it is hereby authorized and empowered to issue the bonds of said village in any sum actually needed, but not exceeding the sum of $50,000, for the purpose of purchasing or condemning any and all lands

upon either or both sides of Ashtabula creek within the limits of said corporation, necessary to straighten, widen, deepen and improve the same, to the end that a good and sufficient swing bridge may be constructed across said creek at Bridge street in said corporation, and that the navigation of said creek may be made more easy and safe, and to advance, benefit and improve the harbor within said village limits. Also for the purpose of dredging, digging and excavating the land, so purchased or condemned to such a depth as will serve the best interests of said harbor, and to such a depth as the council of said village may direct.

Also to convey the dirt or ground so excavated to some proper place of deposit. Proceedings to condemn to be in the manner and form as prescribed in the statutes of the state of Ohio.

Said bonds, when issued, shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations as the said village council shall by ordinance prescribe; but not more than one thousand dollars ($1,000) nor less than fifty dollars ($50) each, and shall be made payable at such times as the council of said village shall by ordinance prescribe and direct, but not more or longer than twenty-five (25) years from this date.

Said bonds shall not be sold for less than par. The principal and interest payable at such places as the council of said village may direct by ordinance, and the proceeds of said bonds shall be used only for the purposes hereinbefore stated, and the proper expenses attending the said improvements.

SECTION 2. Said bonds shall be signed by the mayor, and attested and registered by the clerk of said village, and shall express upon their face the purpose for, and the act under which issued. When said bonds are sold the proceeds thereof shall be paid to the treasurer of said village, who shall hold and disburse said proceeds as other village funds are by him held and disbursed.

No more of such bonds shall be issued or sold than is required by, and necessary for, the actual cost and expense attending the purchasing or condemning of lands and making the improvements heretofore mentioned.

Said bonds shall be sold from time to time as the work progresses, and in such amounts as shall be made necessary by the progress and completion of the purchase or condemning of lands and making the improvements aforesaid.

If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village of Ashtabula thereafter to assess and levy a tax, and if necessary, in addition to what is now authorized by law to be levied on all the taxable property of the village of Ashtabula aforesaid, sufficient to provide for the payment of the principal and interest of said bonds issued as aforesaid, when due and payable, until the same, with interest thereon, shall be fully paid; and said taxes shall be collected as other taxes of said village.

SECTION 3. Provided, however, before said bonds are issued or land purchased or condemned, the council of the village of Ashtabula aforesaid, shall submit the question of issuing the bonds aforesaid, and making the improvements hereinbefore provided for, to the qualified electors of said village at a regular (or special election called for that purpose), of which at least ten (10) days' notice shall be given by publication in two news papers published and of general circulation in said village, of

opposite politics, which notice shall contain the time and place of holding such election, and if a majority of the electors voting at said election, upon said question, shall vote in favor of the same, then and not otherwise, shall the council of said village be authorized to issue the bonds hereinbefore provided for.

Those voting in favor of the proposition to issue bonds for the improvement of the harbor as aforesaid, shall have written or printed upon their tickets the words, "Authority to issue bonds for harbor improvement—Yes;" and those voting against said proposition shall have written or printed upon their tickets the words, "Authority to issue bonds for harbor improvement—No."

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 12, 1888.

[Senate Bill No. 164].

AN ACT

To change the name of the first congregational church and society of Cleveland, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of the first congregational church and society of Cleveland, a corporation located at Cleveland, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: The first congregational society of Cleveland.

SECTION 2. That such change shall in no wise affect the rights, privileges and liabilities of said society.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[Senate Bill No. 216].

AN ACT

Authorizing the city council of the city of Canton, Ohio, to issue and sell bonds for sewer purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Canton, Ohio, be and it is hereby authorized to issue and sell bonds of said city in the sum of fifty thousand

dollars, bearing interest not exceeding six per centum, payable semi-annually, and of denominations not less than one thousand dollars each, made payable at such times as said council may, by resolution, prescribe, but not less than three nor more than twelve years from date. Said bonds shall not be sold for less than par and the proceeds therefrom shall be used for the purpose of constructing a main or trunk sewer, between such points and along such line as the council may direct, and procuring the right of way therefor; and for the purpose of purchasing such land and providing such apparatus as in the opinion of the council may be necessary for the disposal of sewage by chemical precipitation or such other plan as the said council may adopt.

SECTION 2. If there be any balance from the proceeds of the sale of said bonds over and above what is necessary for the purposes set forth in section one of this act, the same shall be paid over into the sewer fund of said city and shall be used for such sewer purposes as the council may from time to time direct.

SECTION 3. For the purpose of paying said bonds and the interest thereon, as they may become due, the city council of said city is hereby authorized to levy a tax not exceeding one mill per annum upon all the taxable property, both real and personal, of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes; and the money so collected shall be used for the payment of said bonds and the interest thereon, and shall not be used for any other purpose.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[House Bill No. 466].

AN ACT

To authorize the village of Hicksville, Defiance county, Ohio, to issue bonds and borrow money for the purpose of purchasing lands to be used as a public park and to authorize the village council to lease the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Hicksville, in the county of Defiance, and state of Ohio, be and is hereby authorized to borrow the sum of five thousand dollars ($5,000) to be applied to the payment of the costs and expenses to be incurred in the purchase of a park in said village.

SECTION 2. That for the purposes aforesaid, said village of Hicksville is authorized to issue bonds, to be signed by the mayor of said village of Hicksville, and attested by the clerk of the council of said village, in sums of not less than one hundred dollars, and not more than one thousand dollars, the same to bear interest at a rate not exceeding six per cent., payable semi-annually; said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said

village may determine; and said bonds shall not be sold for less than their par value and accrued interest, and which said bonds may, on the discretion of said village of Hicksville, have interest coupons attached.

SECTION 3. For the purpose of paying the bonds issued under section one and two of this act, and the interest thereon as the same shall become due, said village of Hicksville shall annually, if necessary, levy a tax in addition to what it is now authorized by law to levy, on all taxable property within the municipal limits of said village, sufficient therefor.

SECTION 4. The clerk of said village of Hicksville shall keep a record of said bonds, showing the number, amount and date of each, when due, and the rate of interest; and when paid they shall be taken up and cancelled, and the fact and date of such payment and cancellation noted on said record.

SECTION 5. Said bonds shall not be issued nor said tax levied or assessed until the question shall have been first submitted to the voters of said village of Hicksville, at a general or special election of which at least ten days' notice shall be given by publication in the corporation papers of said village. At said election all voters desiring to vote in favor of issuing said bonds, and levying said tax, shall have written or printed on their ballots the words: "Issue of bonds for park purposes—Yes," and all voters desiring to vote against issuing of said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for park purposes—No." No bonds shall be issued and no taxes levied under this act, unless a majority of the votes cast in favor of or against said issue and levy shall be in favor of such issue or levy.

SECTION 6. In case such election shall result in favor of the issue of such bonds, the park commissioners of said village shall have power to make plats and surveys, to invite proposals for the sale or gift of lots or lands, and to make contracts for the purchase or gifts of land for the purposes of parks and public grounds.

SECTION 7. That in case such election as provided for in section six (6) herein, shall result in favor of the issue of such bonds, and the board of such commissioners of said village of Hicksville shall purchase or procure lands for parks and public grounds, as herein provided, and in the written opinion of said board of park commissioners of said village, or a majority thereof, duly made and reported to the council of said village, that such park and public ground, and the appurtenances thereof, and embellishments and improvements thereon, can be used for fair and agricultural purposes in connection with its use as a park and public ground without material or permanent injury thereto, or to the free use of the same by the public for the holding of agricultural, fair and farmers' institutes, and upon consideration and action by said council, it shall by resolution concur in said opinion, then it shall be lawful for the council of said village, three-fifths of all the members elected thereto voting therefor, to lease any such real estate, so acquired as herein before provided and owned by said village, for such time and upon such terms as the council shall deem proper, placing any proceeds arising therefrom to the credit of such fund or funds, as to said council may seem proper; provided, however, that such lease so made, shall not extend for a longer period than ninety-nine years; and provided also, that such use of such park aud public grounds, by such fair and agricultural society, for the holding of such agricultural fair and farmers' institutes, shall not conflict

with the free use of said park and public grounds for a period of more than 30 days in each year, to be stipulated in the indenture of lease between said village and any such agricultural or fair society.

SECTION 8. That in case such election as provided for in section six (6) herein, shall result in favor of the issue of such bonds, and the board of park commissioners of said village of Hicksville shall purchase or procure land for park and public groudds as herein provided, and the council of said village of Hicksville, upon the written recommendation of the board of park commissioners, or a majority thereof, as herein provided, shall lease any such park or public grounds as aforesaid obtained to any fair or agricultural society, as a place and site for the holding of agricultural, fair, farm or farmers' institutes as provided for in the foregoing section of the act; then, and in that event, it shall be lawful for such fair and agricultural society, subject to the terms, restrictions and modifications of any lease it may have made with said village, during any such time that it may be entitled to the occupancy and possession of said park and public grounds, for the purposes herein mentioned, to charge such admission fee to said park and public grounds, as by its rules and regulations it may have established.

SECTION 9. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[House Bill No. 439.]

AN ACT

To authorize the council of the village of Elyria, Lorain county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Elyria, Lorain county, Ohio, be and are hereby authorized to transfer from the reservoir and fire department fund of said village, twelve hundred dollars to the street light fund of said village; also to transfer from the police fund of said village, one thousand dollars, to the road fund of said village; also to transfer from the general fund of said village two hundred dollars, to the park fund of said village.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[House Bill No. 433].

AN ACT

To authorize the board of education of Chicago village school district, in the county of Huron, and state of Ohio, to borrow money and issue bonds therefor, for the purpose of completing and furnishing a school building in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of Chicago village school district, in the county of Huron, and state of Ohio, be and is hereby authorized to borrow any sum of money not exceeding three thousand dollars, for the purpose of completing and furnishing a school building in said district.

SECTION 2. Said bonds shall be in such denominations, and payable at such times and place as said board of education may deem judicious, and shall bear interest at a rate not exceeding six per cent. per annum, and shall not be sold at less than their par value.

Said board shall annually thereafter cause the necessary taxes to be levied to pay the interest on said bonds and the principal thereof as the same shall become due; and said levy, if necessary, may be in addition to the limitation now imposed by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 13, 1888.

[House Bill No. 2].

AN ACT

To authorize the village of St. Mary's, in Auglaize county, Ohio, to borrow money and issue its bonds therefor, for the purpose of procuring territory, sink wells for natural gas, purchasing and laying pipes, and supplying said village and citizens thereof with natural gas for public and private use and consumption.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the village of St. Mary's, in Auglaize county, Ohio, beand it hereby is authorized to issue its bonds for an amount not exceeding thirty thousand dollars for the purpose of procuring territory, sinking wells for natural gas, purchasing and laying pipes and constructing the necessary buildings, fixtures and machinery to supply such village and the citizens thereof with natural gas for public and private use and consumption.

SECTION 2. Such bonds shall be issued by the council of such village in denominations not less than one hundred or more than one thousand dollars, payable in such times, not exceeding twenty years, as the council shall provide, with interest not exceeding six per cent. per annum, payable semi-annually, principal and interest payable at such place as the council may determine; they shall express upon their face the purpose for which,

and the act under which issued, and shall be signed by the mayor and countersigned and registered by the clerk of the village, and shall not be sold for less than their face value.

SECTION 3. No more of such bonds shall be issued or sold than is necessary for, and required by the actual and necessary cost and expense of procuring territory, sinking such number of wells as may be required for the purpose named, the purchase and laying of pipes and other necessary expenses; they shall be sold from time to time as the works progress, and in such amounts as shall be required and made necessary by the progress and for the proper completion of the works; and all proceeds and moneys arising from such bonds shall be used exclusively for and applied to the payment of the work, labor, material, and other expenses necessary for the supply of gas for the purpose aforesaid.

SECTION 4. All moneys collected or received by the trustees of gas works of such village, from the village or citizens thereof, for gas furnished and consumed for public or private use, and all net income, revenue, and profits arising therefrom shall be pledged and applied to the payment of such bonds and interest; and the council of such village is hereby authorized to levy a tax annually, not exceeding three mills on the taxable property within said village, in addition to the tax now by law authorized to be levied, in such amount as will each [year] be sufficient to pay the principal and interest then falling due upon such bonds, and provide a sinking fund for the gradual extinguishment of such bonds.

SECTION 5. All moneys so applicable to the payment of such bonds, which shall come into the hands of such board of trustees before such bonds, or any of them, become due, shall be used to purchase such bonds or invested under the order of the council as a sinking fund to be applied to the payment of such bonds as they become due.

SECTION 6. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 341].

AN ACT

To authorize the village of West Unity, and the township of Brady, both in Williams county, Ohio, to issue bonds for the purpose of building a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Brady township, and the council of the village of West Unity, both in Williams county, Ohio, are authorized and instructed to act conjointly in issuing the bonds of said township and village, to the amount of not more than five (5) thousand dollars, for the purpose of building a town hall in said village.

SECTION 2. Said bonds shall be issued in denominations of not less than one (1) nor more than five (5) hundred dollars, and shall bear a rate

of interest not exceeding six per cent. per annum. They shall not be sold for less than their par value.

SECTION 3. They shall be signed by the trustees and clerk of said township, and the mayor and clerk of said village, and shall be payable within not to exceed ten years.

SECTION 4. To provide for the payment of the principal and interest of said bonds when they shall become due, the trustees of said township, and the council of said village, shall levy a tax not to exceed two (2) mills on each dollar of taxable property in said township and village, each year, until the said bonds and interest on the same shall have been fully paid.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 392].

AN ACT

To authorize the village of Fayette, Fulton county, Ohio to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Fayette, Fulton county, Ohio be, and is hereby authorized to permanently transfer from the fire fund, two hundred dollars to the street fund, and from the general fund, two hundred dollars to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 393].

AN ACT

To refund court house and jail bonds in Belmont county, O.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Belmont county, Ohio, are hereby authorized and empowered to refund the court house and jail bonds falling due in the years 1889 and 1890, issued under authority of a special act of the legislature, passed April 10, 1884.

SECTION 2. In order to provide funds for the redeeming of said outstanding bonds, said board of commissioners are hereby authorized to sell the bonds of the county at not less than par in any sum not exceeding $50,000, which bonds shall bear a rate of interest not exceeding 5 per cent. per annum, payable annually at the county treasury, and shall be of such denomination and run such length of time as may be determined by said board of commissioners, not exceeding 16 years.

SECTION 3. This act shall be in force and take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 337].

AN ACT

To authorize the city council of the city of Dayton to transfer a certain fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Dayton be and said council is hereby authorized to transfer from the south-western sewer fund of said city the surplus remaining after paying the cost of constructing said sewer, to a general sewer fund, to be used in constructing the Keowee street, Clinton and Barr street, Milton and Richard street, and other necessary drains and sewers in said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No. 569].

AN ACT

To divide Pike township, Clark county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Pike township, Clark county, Ohio, be and the same is hereby divided into two election precincts as follows: All that part of said township lying east of the east line of sections 24, 19, 20, 21, 22, and 23 M. Rs

in said township is a separate election precinct thereof, designated "Precinct number one" of said township; and all that part of said township lying west of said line is a separate election precinct thereof, designated "Precinct number two" of said township.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[House Bill No 508.]

AN ACT

To authorize the trustees of Fairfield township, Columbiana county, Ohio, to borrow money and issue bonds therefor, to build a memorial hall in the village of Columbiana, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Fairfield township, Columbiana county, are hereby authorized to issue bonds not exceeding fifteen thousand dollars and borrow money thereon at a rate not exceeding six per cent. per annum to be used in the construction of a memorial hall in the village of Columbiana, in said township and county.

SECTION 2. Before such bonds shall be issued by said trustees under this act, the question of issuing said bonds shall be submitted to the qualified voters of said township at a general election, notice of which shall be given by publication in some newspaper of general circulation in said township for three consecutive weeks next preceding said election. Said notice shall specify the amount of bonds to be issued and the purpose for which they are to be issued. If a majority of all the votes cast at this election for any person or purpose shall be in favor of the issuing of said bonds the trustees of said township shall be fully empowered to issue the same and proceed according to law.

SECTION 3. Those voting in favor of issuing bonds as provided in section one, shall have either printed or plainly written upon their ballots the words "For bonds for memorial hall—Yes."

SECTION 4. No bonds issued under the provisions of this act shall have a greater number than five years to run, and shall not be sold at less than their face value.

SECTION 5. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[Senate Bill No. 189.]

AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to issue additional bonds for the improvement and paving of its streets and alleys.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Steubenville, Jefferson county, Ohio, be and it is hereby authorized to issue bonds upon its corporate credit, in such an amount, not to exceed thirty thousand dollars ($30,000), as its council shall by ordinance determine, for the purpose of continuing the improvement or paving of its streets and alleys; said bonds shall be issued in such denominations and shall be payable at such times, within a period of ten years, as the council of said city shall by ordinance determine, and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually, and further, shall be advertised and sold according to law.

SECTION 2. That the sum of money, principal and premium, realized from the sale of said bonds, shall be placed in the "street improvement fund," and all special assessments made for the improvement or paving of any street or alley, or part of either, the cost of which has been paid out of such fund, shall be collected and placed in the "street improvement bond and interest fund," and only appropriated for the payment and redemption of said bonds.

SECTION 3. That for the purpose of paying the interest on said bonds, the council of said city is hereby authorized to levy annually a tax upon all the taxable property of said city, to be placed in the "street improvement bond and interest fund," and not otherwise appropriated.

SECTION 4. That for the purpose of paying such amount of bonds, as the proceeds of the sale thereof shall have been appropriated for the street and alley intersections, and for street and alley improvements, in excess of the amount of the special assessments collected, as provided in section 2 of this act, the council of said city shall levy a tax upon all the taxable property of said city, not to exceed the amount allowed to be levied by law, to be placed in the "street improvement bond and interest fund," and not otherwise appropriated.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 14, 1888.

[Senate Bill No. 221].

AN ACT

To authorize the trustees of Reading township, Perry county, Ohio, to issue bonds and levy a tax for the purpose of erecting a township house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Reading township, Perry county, Ohio, are hereby authorized and empowered to issue the bonds of said township in such

denominations as they may think advisable, and in the aggregate sum of not exceeding twenty-five hundred dollars, payable in one, two and three years, bearing interest at the rate of six per cent. per annum from date of issue, payable semi-annually, for the purpose of purchasing a site and erecting a township house thereon in said township. Said bonds shall be signed by the trustees of said township and countersigned by the clerk thereof, and shall not be sold for less than their par value; and said trustees are hereby authorized and required to levy a tax upon all of the taxable property of said township to pay said bonds and interest as the same become due, and to make return of said levy to the auditor of said Perry county, to be by him placed on the duplicate of said township and collected as other taxes.

SECTION 2. The question of issuing said bonds, levying said tax and of purchasing said site and erecting said township house, shall be submitted to a vote of the qualified electors of said township at the regular April election, A. D. 1888, at the usual places of holding elections in said township, of which at least ten days' notice shall be given by publication in a newspaper of general circulation therein; and at such election the ballots to be voted shall have written or printed, or partly written and partly printed thereon, the words, "Township house—Yes," or "Township house —No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to issue said bonds, make said levy, and purchase said site and erect said township house.

SECTION 3. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 105].

AN ACT

To amend an act entitled an act to straighten the boundary line between Auglaize and Logan counties, passed February 3, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the boundary line between Auglaize and Logan counties be changed so as to run parallel with section lines instead of angling across them as it now does; that said line be located as follows, to-wit: commencing at the northeast corner of Shelby county, being the quarter corner to sections twenty-five and thirty-six, town six south, range seven east, and running thence east to the southeast corner of said section twenty-five, town six south, range seven east; thence north along the range line three and a half miles to the west corner of section seven, town six south, range eight east; thence east along the quarter section line through sections seven, eight, nine, ten and fractional eleven, town six south, range eight east, to the west line of Valentine Peers, Virginia military survey,

No. 12,276, original quantity 2,666⅔ acres; thence parallel to the south line of said survey No. 12,276 to the Hardin county line; thence south along said Hardin county line to the southwest corner of said Hardin county.

SECTION 2. The proposition to change the county lines of said counties as above provided, shall be submitted to the qualified electors of said counties at the next annual election, to be held on the first Tuesday of November, 1888. Those who are in favor of the change will indorse on their ballots, "Change of county line—Yes." Those who are opposed will indorse on their ballots, "Change of county line—No." If a majority of all the votes cast in each county shall be in favor of changing the county lines, then the boundaries of said counties shall hereafter be established as in section one of this act, and the lands changed hereby shall be transferred to the duplicate of the county in which they may become situate.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 490].

AN ACT

To authorize the commissioners of Columbiana county, state of Ohio, to build a jail and sheriff's residence and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Columbiana county, state of Ohio, are hereby authorized to construct and erect a jail and sheriff's residence, at such place at the county seat of said county as, in their judgment, may be deemed best for the public good, at a cost not to exceed $30,000.00.

SECTION 2. That said commissioners, for the purpose of paying for the erection of said jail and sheriff's residence, shall have power to issue bonds of said county in the sum of not less than $100.00 each, bearing interest at a rate not exceeding 6 per cent. per annum, payable semi-annually, and conditioned to be paid in one, two, three, four and five years, in equal amounts; said bonds in the aggregate not to exceed $30,000 00; provided, that said bonds shall not be disposed of for less than their par value, and that they be sold to the highest bidder, due notice of such sale having been previously given. Said bonds shall be signed by said county commissioners and countersigned by the auditor of said county, payable, principal and interest, at the treasurer's office of said county at maturity, according to the tenor of said bonds.

SECTION 3. The commissioners shall annually, at their June session, levy such amount of taxes as will pay the interest on said indebtedness and at least one-fifth of the principal.

SECTION 4. That the commissioners of said county, before issuing any bonds as provided in this act, or creating any indebtedness in anticipation thereof, shall, at some general or special election, after giving fifteen days' notice of said election by publication in at least two newspapers of general circulation and published in said county, of the time and places of such election, submit the question of building such jail and sheriff's residence to the qualified voters of said county. The ballots to be voted at said election shall have printed or written thereon the words "Jail—yes," or "Jail—no;" and if the number of votes cast at said election in favor of building such jail and sheriff's residence exceed the number of votes cast at said election against building such jail and sheriff's residence, then, and not otherwise, the commissioners of said county shall be authorized to carry out the provisions of this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 484].

AN ACT

To authorize the commissioners of Monroe county, Ohio, to levy an additional tax to complete the building of a children's home.

WHEREAS, The commissioners of Monroe county, Ohio, at their regular December session in 1886, resolved to submit to the qualified voters of said county, at their next general election held therein, to-wit: On the first Monday in April, A. D. 1887, the question of establishing a children's home in said county, and the issuing of county bonds or notes to provide funds for the purchase of a site and the erection thereon of a children's home, the cost thereof not to exceed twelve thousand dollars; and

WHEREAS, The proposition in favor of said children's home received a large majority of the votes cast at said election, and the commissioners of said county have since purchased a farm at a cost of five thousand and five hundred dollars, leaving only six thousand and five hundred dollars for the erection of said home; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Monroe county be and the same are hereby authorized and empowered to issue bonds of the county, in addition to the twelve thousand dollars voted for, not to exceed in the aggregate six thousand dollars, or one mill levy on all the taxable property in said county, payable from time to time, not exceeding five years as the commissioners may elect; which bonds shall be in denominations of not less than one hundred nor more than one thousand dollars each, as may be fixed by the commissioners, and shall be made payable to bearer, and bear interest at a rate not exceeding six per cent., payable semi-annually

provided, however, that said bonds shall not be sold at less than par, and the proceeds thereof shall be expended in the erection of said "home."

SECTION 2. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the commissioners of said county are hereby authorized to levy a tax annually, on all of the taxable property of said county, sufficient to pay the interest on all of said bonds annually, and the principal of said bonds, respectively, as the same fall due, which levy shall be placed on the tax duplicate by the auditor of the county, and collected as other taxes are collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 463].

AN ACT

To authorize the village of Brooklyn, Cuyahoga county, to levy a tax for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Brooklyn, Cuyahoga county, may, for the next five years, levy on each dollar of valuation of taxable property of said village, two mills per year additional to that now allowed; the proceeds of said levy to be used for school expenses other than for school-house purposes.

SECTION 2. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 310.]

AN ACT

To create additional precincts in Tuscarawas township, Stark county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Tuscarawas township, Stark county, Ohio, be and is hereby divided into four voting precincts, as follows:

Sections numbered one, two, three, ten, eleven, twelve, thirteen, four-

teen, fifteen and the north half of sections number twenty-two, twenty-three, twenty-four to constitute a voting precinct, and to be known as the West Brookfield precinct.

That the south half of sections numbered twenty-two, twenty-three, twenty-four and section numbers twenty-five, twenty-six, twenty-seven, thirty-four, thirty-five, thirty-six constitute a voting precinct, to be known as Pigeon Run precinct.

That sections numbered nineteen, twenty, twenty-one, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, or parts thereof in said township, to constitute a voting precinct, to be known as Stand's precinct.

That sections numbered four, five, six, seven, eight, nine, sixteen, seventeen, eighteen constitute a voting precinct, to be known as East Greenville precinct.

The trustees of said township of Tuscarawas to fix the place of holding elections in said precincts.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 297].

AN ACT

To authorize the council of the village of Ashland, Ashland county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Ashland, Ashland county, and state of Ohio, be and it is hereby authorized to transfer from the marshal and police fund of said village, to the interest and public debt fund of said village, the sum of two thousand dollars, and from the engine house special fund to the fire fund, the sum of two hundred and nineteen dollars and thirty-two cents.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH. H ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 489]

AN ACT

To authorize the transfer of a certain fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Franklin county are hereby authorized to transfer from the Green Lawn avenue fund any moneys in said Green Lawn avenue fund not required for the completion of the improvement of the Green Lawn avenue road. Said moneys so transferred to be used for the improvement of Mound street from the west corporation line of the city of Columbus, to the Mount Calvary and Green Lawn cemeteries.

SECTION 2. This act to take effect and to be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 496].

AN ACT

To authorize the trustees of Green Creek township, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Green Creek township, Sandusky county, Ohio, are hereby authorized to transfer four hundred dollars ($400) from the cemetery fund to the general township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 15, 1888.

[House Bill No. 155].

AN ACT

To amend an act entitled an act to divide Whetstone township, Crawford county, Ohio, into two election precincts, passed February 16, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled an act to divide Whetstone township, Crawford county, Ohio, into two election precincts, be amended to read as follows: That the township of Whetstone, in the county of Crawford, be and the

same hereby is divided into two election precincts for all election purposes authorized by law, as follows: Beginning at the south-west corner of said township; thence north upon said township line three miles; thence east across said township to the east line thereof; thence south along the east line of said township to the south-east corner thereof; thence west along the south line of said township to the place of beginning; and that the north portion of said township as so divided, shall be designated and known as the North Precinct, and that the south portion thereof as so divided, shall be designated and known as the South Precinct, with its place of voting at the hamlet of New Winchester; and the place of voting in the north precinct shall be at the township hall.

SECTION 2. The original act, as passed February 16, 1887, is hereby repealed.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 435].

AN ACT

To authorize the trustees of Oxford township, Tuscarawas county, to sell and dispose of the stock owned by said township in the Steubenville and Indiana railroad.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Oxford township, Tuscarawas county, state of Ohio, be, and they are hereby authorized to sell and dispose of the stock of the Steubenville and Indiana railroad, owned by said township, and place the proceeds of the sale of said stock into the township treasury of said township and to the credit of the township fund thereof.

SECTION 2. That an act entitled, "an act to authorize the trustees of Oxford township, Tuscarawas county, state of Ohio, to sell railroad stock, and appropriate the proceeds thereof to the construction of a town hall," passed April 20th, 1881, be, and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 148.]

AN ACT

To authorize the county commissioners of Hamilton county to levy a tax for improving, grading and macadamizing part of the road known as the Bridgetown county road in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and they are hereby authorized to assess and collect, upon the general levy of all the taxable property of said Hamilton county, a tax of not less than one-sixteenth of a mill nor more than one-fifteenth of a mill on the dollar valuation thereon in the levy for the year 1888 and 1889, one-half of which shall be placed on the tax duplicate for the year 1888 and the remainder on the tax duplicate for the year 1889, which shall be applied by and under the direction of said county commissioners in improving, grading and macadamizing so much of the Bridgetown county road as lies between the point at which the Ferguson road joins the said Bridgetown county road, and the point at which it intersects the Cincinnati and Harrison turnpike road; the part of said Bridgetown county road to be improved being about two and one-half miles in length, more or less, and all in Green township; and unexpended surplus arising from said tax shall be appropriated by said commissioners to the improving or keeping in repair this road or any roads heretofore improved or ordered to be improved by them in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 372].

AN ACT

To authorize the board of education of the city of Newark, Licking county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Newark, in Licking county, Ohio, be and is hereby authorized to borrow any sum, not exceeding fifteen thousand dollars ($15,000), for the purpose of erecting a school building, in the eastern school district of said city.

SECTION 2. That for the purpose aforesaid, the said board of education are authorized to issue bonds, not exceeding fifteen thousand dollars ($15,000), to be signed by the president and attested by the clerk of said board, in sums not less than one hundred dollars ($100), and not more than one thousand dollars ($1,000), bearing interest at a rate not exceeding six per

centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding ten (10) years from the respective dates thereof, as such board may determine; said bonds shall not be sold for less than their par value; and said bonds may, in the discretion of said board, have interest coupons attached.

SECTION 3. Said board of education shall annually thereafter, cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for levying and collection of taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 262].

AN ACT

To divide Mohican township, of Ashland county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Mohican township, in the county of Ashland and state of Ohio, be and the same is hereby divided into two election precincts as follows: Commencing on the section line at the center of said township on its western boundary, and running east on the same section line to the eastern boundary of said township of Mohican; said precincts to be named as follows: The one on the north side of said township shall be called the Jeromeville precinct, and the one on the south side of said township shall be called the Mohicanville precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 521].

AN ACT

To reimburse John S. Robinson, ex-treasurer of Washington township, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Washington township, Muskingum county, Ohio,

are hereby authorized and empowered to levy a tax on all taxable property of said township of Washington, in addition to the taxes now authorized to be levied by law, to reimburse John S. Robinson, ex-treasurer of said Washington township, for the amount of four hundred and ninety dollars ($490).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem of the Senate.

Passed March 21, 1888.

[House Bill No. 316]

AN ACT

To authorize the village council of the incorporated village of Cedarville, Greene county, Ohio, to borrow money and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Cedarville, Greene county, Ohio, be and the same is hereby authorized to borrow a sum not exceeding twelve hundred dollars, to be applied to the widening of the bridge over Massie's creek on Main street in said village.

SECTION 2. That for the purpose aforesaid, the council of the village of Cedarville is authorized to issue bonds to be signed by the mayor of said village, and attested by the village clerk, of denominations not less than fifty dollars, and not greater than one hundred [dollars], and to sell the same at public or private sale, with or without advertising. Said bonds to bear interest at a rate not exceeding seven per cent. per annum, payable semi-annually, and to be payable at such time or times, not exceeding ten years from the respective dates thereof, as the council may by ordinance provide. Said bonds shall not be sold for less than their par and accrued interest, and may have interest coupons attached.

SECTION 3. For the purpose of paying such bonds and the interest thereon as the same shall become due, said council of the village of Cedarville shall annually levy a tax, if necessary, in addition to what is now authorized by law to levy, on all the taxable property of said village, sufficient therefor; provided, that all the bridge tax levied, and to be levied on the taxable property of said village, in pursuance of law by the county authorities, shall be paid into the treasury of said village, to be applied to the payment of the bonded indebtedness herein authorized, for the widening and repairing of the bridge as set forth. The proceeds of which may be used for the construction and repair of said bridge in said village, until the amount so applied shall equal the sum expended for such construction and repair, with interest thereon.

SECTION 4. The money borrowed by said village of Cedarville for the purpose of widening and repairing the bridge across Massies' creek on

Main street in said village, by virtue of this act, shall be paid into the treasury of said village as a special fund, to be designated as the council of said village may provide, and shall be applied to the purpose contemplated in this act, as the council may direct, but no appropriation shall be made from such fund except by ordinance, and all ordinances appropriating money from such fund shall clearly state the object of such appropriation, and the uses to which the sum is to be applied.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 450].

AN ACT

To authorize the council of the city of Gallipolis, Ohio, to issue bonds for the purpose of purchasing grounds and building for city prison.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Gallipolis, Ohio, be and is hereby authorized and empowered to issue bonds of said city in a sum not exceeding three thousand dollars, in denominations of five hundred [dollars] each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and made payable at such times as said city council may by resolution prescribe, but not to exceed ten years. Said bonds shall not be sold for less than their par value, and the proceeds arising therefrom shall be used for the purpose of purchasing grounds and buildings, and paying for necessary repairs thereon, for the use of the city as a city prison, and such other purposes as the said council may elect.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 412].

AN ACT

To divide Washington township, Preble county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Washington township, Preble county, Ohio, be and the same is hereby divided into two election precincts, by a line commencing at the north boundary line of said township, in the center of the Eaton and Manchester free pike, and running thence in a southerly direction in the center of said free pike to the north line of the incorporated village of Eaton, thence south in the center of Barron street to the south line of said village, thence in a southerly direction in the center of the Eaton and Camden improved road to the south line of said township. All that portion of said township lying east of said dividing line shall be known as the east precinct, and all that lying west of said dividing line shall be known as the west precinct.

SECTION 2. This act shall take effect on the first day of June, 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 176].

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for extending and improving Western avenue from Carll street to Hopple street bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and they are hereby authorized to levy on all the taxable property in said county, in addition to the taxes now by law authorized to be levied thereon, a tax of two-elevenths (2-11) of a mill on the dollar valuation on the grand duplicate, of all taxable property in said county, one-half of which shall be assessed and collected on the tax duplicate of 1888, and the remainder on the tax duplicate of 1889 for the year 1888, and to certify the same to the auditor of the county on or before the first Monday in June of said years; said tax to be used in extending Western avenue, in the city of Cincinnati, over Mill Creek bottoms in a northerly and northeastwardly direction from Carll street to the Hopple street bridge, by grading, macadamizing, setting curbs and crossings, constructing bridge over Cummins' run, and condemning property between Cincinnati, Hamilton and Dayton railroad and the Hopple street bridge.

SECTION 2. The money arising from said tax shall be expended by

and under the direction of the board of public affairs of said city, for the purpose of extending said Western avenue by grading, macadamizing, setting curbs and crossings, and constructing bridge over Cummins' run, and also to pay the cost of condemning and appropriating property for said purpose between the Cincinnati, Hamilton and Dayton railroad and the Hopple street bridge, and for no other purpose whatsoever, nor shall any part of said money be transferred to any other fund, or be diverted from the object expressed herein.

SECTION 3. The said board of public affairs are hereby authorized, in anticipation of the collection of said tax, to prepare plans and specifications for said work, and to make contracts for the construction of the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 374].

AN ACT

To authorize the incorporated village of Arcanum and Twin township, Darke county, Ohio, to unite in the purchase of a site, and the erection of a town hall in said village, and to issue bonds for the purpose of raising money therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Arcanum and Twin township, in Darke county, Ohio, be and are hereby authorized to unite in the purchase of a site, and the erection thereon of a town hall in said village; said hall to be owned by said village and township in such proportions as the council of said village and the board of trustees of said township may determine. And, to meet the payment of the bonds and interest thereon hereinafter authorized to be issued, to raise money for said purpose, said village and township be and are hereby respectively authorized to levy a tax yearly, so long as may be necessary, on the taxable property in each, not exceeding four mills on the dollar, to be collected as other taxes are.

SECTION 2. The council of said village is hereby authorized to issue and sell at private sale, at not less than par, the bonds of said village in any sum not exceeding ten thousand dollars, and in denominations of one thousand dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually; and said bonds to be payable at such places and at such times, not exceeding eleven years from the date of issue, as said council may determine. And the trustees of said township are hereby authorized to issue and sell in like manner, at not less than par, the bonds of said township in any sum not exceeding five thousand dollars, in de-

nominations of five hundred dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually; and said bonds to be payable at such places and at such times not exceeding eleven years from the date of issue, as said trustees may determine. And the money arising from the sales of said bonds, shall, so far as may be necessary, be used for the purpose of defraying the expenses for the purchase of said site, and the erection of said town hall. Said bonds shall be issued and sold in all respects, not herein provided, according to law. Provided, however that before said bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of said village and township at an election to be held at the usual places of voting in such village and township, and at such time as the council of said village and the trustees of said township may appoint. The tickets voted at such election shall have written or printed thereon, the words "For town hall bonds—Yes;" or "For town hall bonds—No." If the proposition to issue bonds be approved by a majority of those voting thereon at such election, then the council of said village and the trustees of said township shall issue said bonds as herein provided for. Notice of such election shall be published in one or more newspapers circulating in said village and township, and posted in at least five public places in said village and township for not less than ten days prior to such election, and said election shall be held in all respects, not otherwise herein provided, according to law.

SECTION 3. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 390].

AN ACT

To authorize the trustees of Washington township, Wood county, Ohio, to purchase a site, erect jointly a town hall and memorial hall, finish off and furnish the same, and to issue bonds and levy a tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Washington township, Wood county, Ohio, be and they are hereby authorized and empowered to issue its bonds, not exceeding four thousand dollars, for the purpose of purchasing a site, erecting thereon jointly a town hall and memorial hall, finishing off the same, and to issue bonds therefor, running from one to five years.

SECTION 2. Before such bonds shall be issued or tax levied, the question of issuing said bonds and levying of a tax therefor, the same shall be submitted to a vote of the qualified electors of said township, at their next annual spring or fall election, as the trustees may order. Notice of said

election shall be given by publication in one or more newspapers published in and of general circulation in said county, or by public notice posted up at five of the most public places in said township, at least twenty days before said election. Said notice shall specify the object for which said election is to be held, the amount of bonds proposed to be issued, with the rate per cent. of interest they are to draw, and the number of yearly levies to be made; the tickets voted at said election shall have written or printed thereon: "Authority to issue bonds—Yes;" or "Authority to issue bonds—No." If the proposition to issue bonds is approved by a majority of all the voters voting at said election, the township trustees shall have authority to issue its bonds for an amount not exceeding the amount designated in section one of this act, and to levy a tax therefor as hereinafter provided.

SECTION 3. Said bonds, when so authorized, shall be issued by the trustees of said township in denominations of not less than fifty nor more than five hundred dollars, and shall be drawn from one to five years, with interest at six per cent. per annum, payable semi-annually, and at such place as the trustees may designate; they shall express on their face the purpose for which issued, shall be signed by the trustees, and countersigned by the clerk of said township, and shall not be sold for less than their face value.

SECTION 4. No more of such bonds shall be issued or sold than is necessary to purchase said site, enclose and improve the grounds, erect the building thereon and finish off and furnish the same. Said bonds to be sold from time to time as the work progresses, and in such amounts as shall be required and made necessary for the completion of the same.

SECTION 5. For the purpose of carrying out all the provisions of this act, the trustees are hereby authorized and required to levy annually, at the time of making other levies, a tax upon all the taxable property of the township, an amount sufficient to pay said bonds with accrued interest as they become due.

SECTION 6. This act to take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 586].

AN ACT

For the relief of John Brookmyer [Bookmyer?], late treasurer of Townsend township, Sandusky county, Ohio, and the surety on his official bond as treasurer of the board of education of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Townsend township, Sandusky county, Ohio, are hereby authorized and empowered to release John Bookmyer, late treasurer of said board, and his surety on his official bond, as treasurer of said board, from the payment of the following sum of money,

to-wit: Five hundred and eighteen and 50-100 dollars ($518.50); provided, however, that the said John Bookmyer as such late treasurer, shall, without recourse on him, fully transfer any and all certificates of deposit or other evidences of indebtedness which he holds as such late treasurer, for the use of said board, against the late banking company, known as the Clyde banking company, of Clyde, Ohio, to his successor[s] in office to be by such successors in office collected for the benefit of the said board of the education of Townsend township; provided, that said successors in office shall only be held liable to the said board of education for the amount of money or dividends received by them from the receiver of said banking company on account of the same, or from its individual members, or their assignees, executors or administrators respectively.

SECTION 2. Before said release shall be made, the question of making the same shall be submitted to the qualified voters of said township at the regular spring election for township officers in 1888; and if a majority of all the votes cast at said election be in favor of said release, the same shall be granted, and it shall be the duty of the township clerk of said township to post notices of such proposed release in at least three of the most public places in said township, at least ten days prior to said election.

SECTION 3. The tickets for said proposed release shall have written or printed thereon the words "For release of John Bookmyer and surety on official bond—Yes;" or "For release of John Bookmyer and surety on official bond—No."

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 551].

AN ACT

To annex certain territory to the incorporated village of Plain City, Madison county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following territory be and the same is hereby annexed to and made a part of the incorporated village of Plain City, in Madison county, to-wit: Beginning for the same at the northeast corner of the present village of Plain City and on the line between Madison and Union counties on the west side of the creek known as Big Darby creek, running thence north along the west bank of said creek, following the meanderings thereof, 116 rods and 14 links to the Noteman bridge across said creek on what is known as Sugar Run road; thence in a southwesterly direction, following the center of said road, crossing the Plain City and

California pike, and maintaining the direction thereof through the lands of the heirs of William McCune, deceased, and through the land of John Gray 262 rods to a point in the center of the Post road, east of the residence of John Gray, and at the intersection of what is known as the Middle pike, leading from said village to West Jefferson, Ohio; thence south along the center of said Middle pike 36 rods to the line between Madison and Union counties; thence east along said line 81 rods to the present northwest corner of said incorporated village of Plain City.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed March 21, 1888.

[House Bill No. 593].

AN ACT

To authorize the village of Ravenna, Portage county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the treasurer of the village of Ravenna, Portage county, Ohio, be and he hereby is authorized and empowered to transfer certain funds of said village, as follows: From the police fund to the sinking fund the sum of one thousand dollars ($1,000); from the corporation fund to the sinking fund the sum of three hundred and fifty dollars ($350), and from the corporation fund to the gas fund the sum of three hundred and fifty dollars ($350).

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 510].

AN ACT

To authorize the village of Jamestown, Greene county, Ohio, to issue bonds for the purpose of purchasing a steam fire engine.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Jamestown, Greene county, Ohio, be and is hereby authorized and empowered to issue bonds not to exceed in amount thirty-five hundred dollars, for the purpose of purchasing a steam fire engine, and its necessary apparatus and equipments, for said village. Said bonds shall not be sold for less than par, and shall be of such denominations,

and bear such rate of interest not exceeding six per cent. per annum, payable semi-annually, and may be made to run for such time as the council of said village may provide by the ordinance providing for such issue of bonds.

SECTION 2. The bonds mentioned in this act shall not be issued until after the question of issuing the same shall have been first submitted to the electors of said village, either at any general or special election that may by called for the purpose, and if a majority of the votes of the electors voting at such election be cast in favor of such issue of bonds. The ballots shall have printed or written upon them, "Issue of bonds for steam fire engine—Yes;" "Issue of bonds for steam fire engine—No." The council of said village may by resolution at any regular meeting call such special election, or decide to submit such question at the general municipal election; such resolution shall be published for two consecutive weeks, in a paper published in said village, and shall also contain notice of the time and place for holding such election, and such resolution shall also state the maximum amount of bonds proposed to be issued.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 597].

AN ACT

To authorize the township of Brooklyn, Cuyahoga county, to issue bonds for the purposes herein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Brooklyn township, Cuyahoga county, Ohio, is hereby authorized to issue bonds of said Brooklyn township, not to exceed the sum of nine thousand five hundred dollars ($9,500), and payable in equal annual payments, not to exceed eight years, with interest at six per cent. per annum payable annually, and to levy a tax on the taxable property of said township, to raise a sum of money sufficient to meet the payments of said bonds and interest, as the same shall become due, and the proceeds arising from the sale of said bonds shall be used exclusively for the purpose of purchasing a site for, and to build and furnish a school house in sub-district No. 3, which shall be known as Brooklyn township high school.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 594].

AN ACT

To repeal an act passed February 16, 1886, which divided Coventry township into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act of the General Assembly of the State of Ohio, which divided the township of Coventry, in the county of Summit, and State of Ohio, into two election precincts, passed February 16th, 1886 (O. L., vol. 83, page 247), be and the same is hereby repealed, and said township shall hereafter comprise one election precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 546].

AN ACT

To authorize the council of the village of Loveland, in Clermont, Warren and Hamilton counties, to issue and sell the bonds of said village, for the purpose of purchasing additional grounds if necessary, and construct therein [thereon ?] a town hall, council chamber, engine house and village prison.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Loveland, in the counties of Clermont, Warren, and Hamilton, be and the said council is hereby authorized to issue the bonds of said village, not exceeding in amount $15,000, to sell the same and use the proceeds thereof in purchasing ground, if in the judgment of said council the same is necessary, and erect thereon such building or buildings, as may be deemed necessary, for a town hall, council chamber, engine house and village prison.

SECTION 2. Said bonds shall be issued in such an amount, not exceeding $15,000, in such denominations, and payable at such time or times as said council shall determine. They shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall not be sold for less than the par value thereof; said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall be authenticated by the seal thereof.

SECTION 3. For the payment of said bonds and interest thereon, said council shall levy a tax, in addition to the amount otherwise authorized by law, every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due that year, and the accruing interest.

SECTION 4. When the total amount of said bonds so to be issued in

pursuance hereof shall have been determined by said council, and before any bonds are issued or tax levied as provided by this act, the question of issuing the bonds shall be submitted to the qualified electors of said village, at an election to be held at such time after the passage of this act, as the council may determine, and ten days' notice of said election and submission shall be given by the mayor of said village, by posting said notice in at least five of the most public places in said village; said notices shall state the amount of bonds to be issued, the purpose for which they are to be issued, and the time and place of holding the election; and if the majority of the electors voting at such election upon the question of issuing the bonds, vote in favor thereof, then the bonds may be issued and the tax levied. Those voting in favor of the proposition shall have written or printed on their ballots the words, "For the issue of bonds," and those voting against the same, the words, "Against the issue of bonds."

SECTION 5. Said election shall be held and conducted in the same manner as is now provided by law for holding municipal elections, and the clerks and judges of said election shall certify to the council of said village the result of the same. If a majority of the electors voting at said election, as provided for in section 4 of this act, vote in favor of said proposition, the council shall proceed to advertise and sell said bonds, in manner as provided for by law, for the sale of municipal bonds.

SECTION 6. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker [pro tem.] of the House of Representatives.
WM. C. LYON,
President pro tem. (?) of the Senate.

Passed March 22, 1888.

[House Bill No. 567].

AN ACT

To authorize the council of the incorporated village of Athens to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Athens be and they are hereby authorized to transfer from the bond interest fund of said village to the street fund thereof the sum of seven hundred and fifty dollars. That such transfer may be made in different amounts and at such times as said council may, by resolution, determine.

SECTION 2. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 531].

AN ACT

To repeal an act entitled "an act to divide Alliance precinct in the township of Lexington and county of Stark, into two election precincts," passed April 10, 1878 (O. L., vol. 75, page 1109).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to divide Alliance precinct, in the township of Lexington, and county of Stark, into two election precincts," passed April 10, 1878, be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 523].

AN ACT

To reimburse ex-Mayor Gillispie, of the city of Zanesville, Muskingum county, state of Ohio.

WHEREAS, James C. Gillispie was, in April, 1885, elected mayor of the city of Zanesville, county of Muskingum, and state of Ohio; and

WHEREAS, At the time of the election of said James C. Gillispie, a joint city and county work-house was erected, by means of which all the costs which were due and not paid could be worked out and thus be collected. The city council of said city reduced the salary of the mayor from $1,000 to $800, but neglected to pass the ordinance providing for the payment of said costs from the city treasury. The amount of costs thus worked out and collected by the city amounting to $507.60; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of said city is hereby authorized and empowered to pass an ordinance providing for the payment of the sum of $507.60 to reimburse said James C. Gillispie for said costs due him.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 529].

AN ACT

To authorize the incorporated village of Clyde, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Clyde, Sandusky county, Ohio, be and hereby is authorized to transfer certain funds of said village, now in the treasury thereof, and to be realized from the annual levy made by ordinances, passed May 20, 1887, as follows, to-wit: From the general purpose fund, the sum of three hundred ($300.00) dollars; from the street improvement fund, the sum of five hundred ($500.00) dollars; from the marshal and police fund, the sum of six hundred ($600.00) dollars; from the fire department fund, the sum of one hundred ($100.00) dollars; from the interest fund, the sum of one hundred and fifty-five and 88-100 ($155.88) dollars, all of said sums to the sinking fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 22, 1888.

[House Bill No. 579].

AN ACT

To authorize the trustees of Chester township, of Morrow county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Chester township, Morrow county, Ohio, be and they are hereby authorized and directed to transfer the sum of seven hundred dollars from the fund derived from the sale of burial lots in Maple Grove cemetery, belonging to said Chester township, to the fund raised by levy, for the purpose of completing the paying for said cemetery grounds.

SECTION 2. This act shall take effect and be in full force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[House Bill No. 386].

AN ACT

To authorize the trustees of Ridgville township, Lorain county, Ohio, to levy a special tax for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Ridgville township, Lorain county, Ohio, are hereby authorized to levy a special tax on all the taxable property of said township, in addition to the amount now authorized by law for road purposes, of not to exceed 6-10 of one mill for the years 1888, 1889 and 1890, and that said amount shall not exceed $1,500, or $500 per year for the years named; provided, that the question of levying such tax shall be first submitted to the qualified electors of said township at the regular election to be held in April, 1888, of which notice shall be given by said trustees by posting printed notices in five conspicuous places in different parts of the township, at least two weeks before the election; and at such election the ballots shall have written or printed thereon: "Special road tax—Yes;" or "Special road tax—No;" and if a majority of those voting upon the proposition, vote "yes," then it shall be the duty of the said township trustees to make a return of said levy to the auditor of said county, to be by him placed on the duplicate of said township and collected as other taxes.

SECTION 2. This act to take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[House Bill No. 387].

AN ACT

To establish a sub-school district in Lake township, Ashland county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be established in Lake township, Ashland county, and state of Ohio, a sub-school district known as district number six, to be composed of a half mile off of sub-district number seven, and one-half mile off of sub-district number one. The two last named being adjoining sub-district, commencing at the county line on the east; thence west on the section line to the Mohecan creek, the west line of the sub-district on the east side of the said creek; thence south one mile; thence east to the county line; thence north one mile to the place of beginning; containing about eight hundred and sixty acres of land.

SECTION 2. Such sub-school district shall be governed and controlled in all respects by such laws as now are or may hereafter be in force re-

lating to sub-school districts, and shall be under the control and subject to the board of education of such Lake township; provided, there shall be elected in the aforesaid sub-school district, on the second Monday of April next, three local directors, one to serve for one year, one to serve for two years and one to serve for three years, in the same manner as provided by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[House Bill No. 603].

AN ACT

To authorize the commissioners of Meigs county to levy an additional tax for the support of the poor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Meigs county be and they are hereby authorized, at their June session, A. D. 1888, and annually thereafter, at their discretion, to levy a tax for the relief of the poor in said county, in addition to the amount now authorized by [law] to be levied, not exceeding five-tenths of a mill on each dollar of taxable property within said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[Senate Bill No. 227].

AN ACT

To amend section 5 of an act, passed March 16, 1887 (84 O. L., pp. 379, 380, 381 and 382).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5 of an act passed March 16, 1887 (84 O. L., pp. 379, 380, 381 and 382), be amended to read as follows:

SEC. 5. That said county commissioners shall appropriate to the construction of said free turnpikes in the second section of this act named, not exceeding fifteen hundred dollars to the first therein named in Green township; not exceeding fifteen hundred dollars to the second therein

named in Buckskin township; not exceeding two thousand five hundred dollars to the third therein named in Twin and Huntington townships; not exceeding five thousand five hundred dollars to the fourth therein named in Scioto, Franklin and Huntington townships; not exceeding three thousand dollars to the fifth therein named in Jefferson township; not exceeding twenty-five hundred dollars to the sixth therein named in Buckskin township; and not exceeding fifteen hundred dollars to the seventh therein named in Buckskin township.

SECTION 2. That said original section 5 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 620].

AN ACT

To authorize the council of the incorporated village of Cambridge, Guernsey county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Cambridge, Guernsey county, Ohio, be and they are hereby authorized to transfer the sum of "four thousand, two hundred, eighty-one and 94-100 ($4,281.94) dollars" from the building fund of said incorporated village, to the general fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 505].

AN ACT

To authorize the treasurer of Chagrin Falls township, Cuyahoga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the treasurer of Chagrin Falls township, Cuyahoga county, Ohio, is hereby authorized to transfer one hundred and eighty-nine dollars and twenty-one cents ($189.21) from the sidewalk fund to the road fund;

thirty-one dollars and eighty-four cents ($31.84) from the county fund to the road fund; eighty-four dollars and seventy-five cents ($84.75) from the sidewalk fund to the town hall fund; and eighty-three dollars and eight cents ($83.08) from the vault fund to the town hall fund.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 563.]

AN ACT

To repeal an act entitled an act "to divide the township of Perry, county of Columbiana, into two election precincts" (O. L., vol. 75, page 1105).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled an act to divide the township of Perry, county of Columbiana, into two election precincts, passed April 9th, 1878, O. L., vol. 75, page 1105, be and is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 547].

AN ACT

To authorize and empower the council of the incorporated village of Loveland, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Loveland, Clermont, Warren and Hamilton counties, Ohio, be and the same are hereby authorized and empowered to transfer three hundred dollars from the police fund to the general fund of said corporation.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 188].

AN ACT

To authorize the creation of a special school district in Union township, Knox county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory comprised in sub-district No. 1, and additional territory thereto, in Union township, Knox county, Ohio, bounded and described as follows: Bounded on the north by the line between Union and Jefferson townships, on the west by the line between Union and Howard townships, on the south by the center of sections six, seven and eight, and on the east by the center of sections eight, three and twenty-three, in said Union township, excepting therefrom the northwest quarter of section eight and the north third of the northwest quarter of section twenty-five in said Union township, be and the same are hereby created and declared to constitute a special school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 404].

AN ACT

To divide Delaware township, in Hancock county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Delaware, in the county of Hancock, and state of Ohio, be and the same is hereby divided into two election precincts by a line commencing at a point on the township line between Delaware and Amanda township[s], of said county, at the northeast corner of section six (6), in said township of Delaware, being the northeast corner of said Delaware township, and running west on the township line, between Delaware and Amanda townships, and Delaware and Jackson townships, to the township line between Delaware and Madison townships of said county, to the northwest corner of said Delaware township, and thence three (3) miles south on the township line between Delaware and Madison townships, to a point between sections sixteen (16) and twenty-one (21), of Delaware township, and thence east on the section line between sections sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), thirteen (13) and twenty-four (24), and eighteen (18) and nineteen (19), of said Delaware township, to the county line between Hancock and Wyandot counties, and thence north on the county line between Hancock and Wyandot counties to the place of beginning.

SECTION 2. All that part of said Delaware township, north of said line, running east and west through said township, and dividing the same, shall be one voting precinct, called precinct number one (1), with the voting place at the village of Mt. Blanchard, and all of said township south of said dividing line, shall be one voting precinct, called precinct number two, with the voting place therein, near the center thereof, where the trustees of said township shall determine.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 584].

AN ACT

To authorize the city council of the city of Chillicothe to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Chillicothe are hereby authorized to transfer the following sums of money: $2,000 from the police fund, $1,000 from the fire department, and $1,000 from the bridge fund, to the street cleaning and sanitary fund.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 501].

AN ACT

To authorize and empower the board of education of Neville special school district to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Neville special school district of Clermont county, Ohio, be and they are hereby authorized and empowered for two successive years after the passage of this act, to levy a tax not exceeding

eight mills on the dollar each year, on all taxable property of said special school district, in addition to all levies now authorized by law, said tax to be used for the purpose of redeeming bonds issued for the purpose of building a school house in said special school district, and levied and collected in the same manner as taxes for the common school fund are levied and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 176].

AN ACT

To authorize the board of education of the township school district of the township of Madison, Vinton county, Ohio, to levy tax to pay off the indebtedness of the several sub-districts of said township, and to authorize said board of education to issue bonds therefor if they deem the same best for said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the township district of Madison township, Vinton county, Ohio, be and the same is hereby authorized and empowered to levy a tax upon the taxable property of said township district of Madison, in Vinton county, Ohio, in such an amount annually, commencing in the year one thousand eight hundred and eighty-eight, as will be sufficient to pay the present outstanding debts of the several sub-school districts of said township, including the joint sub-district composed of parts of the townships of Madison, Knox and Vinton. Said levy not to exceed three mills on the dollar in any year.

SECTION 2. If said board of education shall consider it to the interest of the said township, they are hereby authorized to issue bonds for such an amount as may be necessary to take up and pay off the outstanding orders and all indebtedness of said township district, as provided for in the first section of this act. Said bonds to be signed by the president and clerk of said board of education, and to be in sums not less than ($50) fifty dollars nor more than ($100) one hundred dollars each, bearing interest at a rate not exceeding seven per cent. per annum, and said interest to be payable semi-annually. The principal and interest of said bonds to be payable as said board of education may direct, not exceeding twelve years; provided, that said bonds shall not be sold for less than par value.

SECTION 3. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 446].

AN ACT

For the relief of Joseph Clare, treasurer of Tate township, Clermont county, Ohio, and his official sureties, James M. Crane and G. W. Elrod.

WHEREAS, On the 29th day of September, A. D. 1884, Joseph Clare was the treasurer of Tate township, Clermont county, Ohio; and

WHEREAS, As such treasurer he, at the date mentioned, was the custodian of eight hundred and ninety 28-100 dollars of township and school funds of said township, which funds were kept in a fire and burglar proof safe belonging to Joseph Clare; and

WHEREAS, On the date named, said safe was broken open and said sum stolen therefrom; and

WHEREAS, Two hundred and ninety-seven qualified electors of said township have petitioned this assembly to relieve the said Joseph Clare and his official sureties, James M. Crane and G. W. Elrod; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of said Tate township shall, at a regular or special election, due notice of which shall be given, submit to the qualified voters of said township the proposition to relieve and release said persons named in the petition, which if carried by a majority of said qualified voters, then the said Joseph Clare and the said James M. Crane and G. W. Elrod, sureties on the official bond of the said Joseph Clare, as treasurer aforesaid, be and they hereby are released from the payment of said sum, $890 28-100, to said township or officer or officers thereof, and are hereby relieved from all liability for the sum so stolen.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 636].

AN ACT

To authorize the board of education of the special school district of Kalida, Putnam county, Ohio, to levy an additional tax for school and school house purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Kalida, Union township, Putnam county, Ohio, in addition to the taxes authorized by section 3959 of the Ohio school laws, are hereby authorized and empowered to levy an additional tax in the year 1888, not to exceed three mills on each dollar of the valuation of all the taxable property in the

said district, and the territory thereto annexed, for the purpose of paying existing indebtedness of said school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 411].

AN ACT

To authorize the board of education of the village school district of Germantown, Montgomery county, Ohio, to establish and maintain a free public library, and to receive donations therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Germantown, Montgomery county, Ohio, be and is hereby authorized and empowered to establish and maintain a free public library, which shall be under the control and management of said board of education.

SECTION 2. For the purpose of establishing, increasing and maintaining said free public library, the board of education of said school district may levy, annually, a tax not exceeding five-tenths of one mill on each dollar valuation of the taxable property of said school district, to be levied and collected in the same manner as are the school taxes of the district, and shall be expended under the direction of the board of education of said school district in purchasing such books, pamphlets, papers, magazines, periodicals, journals and other property as may be deemed suitable for such library, and in payment of all other charges and expenses, including rent for rooms and compensation to the librarian and assistants, that may be incurred in establishing, increasing and maintaining such library.

SECTION 3. Said board of education may receive and accept donations of books, periodicals, money and other property for the use of such library.

SECTION 4. Said board of education is hereby authorized and empowered to make a temporary transfer of funds from the contingent or other fund of said board, sufficient to secure the immediate establishment and maintenance of said library, and to expend the same for such purpose.

SECTION 5. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 630].

AN ACT

To authorize the council of the incorporated village of Medina, Medina county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Medina, Medina county, Ohio, be and is hereby authorized and empowered to transfer the sum of three hundred dollars from the general fund to the water-works fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 228].

AN ACT

To authorize the village of Westwood, Hamilton county, Ohio, to borrow money to build a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Westwood, in Hamilton county, Ohio, be and it hereby is authorized to borrow money, not exceeding twenty thousand dollars in amount, for the purpose of erecting a building containing a town hall and offices for the officers of the corporation; and the council of said village is hereby authorized to issue bonds for the money so borrowed, at such times and in such amounts as may be required, not exceeding said twenty thousand dollars.

SECTION 2. Said bonds as aforesaid authorized to be issued, shall be signed by the mayor of said village, and countersigned by the village clerk, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and said bonds shall be of such denominations as the council may determine, the bonds of each denomination to be numbered consecutively, beginning with number one, and shall mature twenty years from date, but said village may reserve the right to call in and redeem, with accrued interest, said bonds, or any portion thereof, before their maturity, if it so desires; and said bonds shall be sold as provided by law.

SECTION 3. For the payment of the interest and principal of said bonds as the same shall become due, the council of said village are hereby authorized and required to levy a tax on all the taxable property within the corporate limits of said village, not exceeding two and one-half mills on the dollar annually, in addition to taxes now authorized by law,

which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. Before the council of said village shall have the right to issue said bonds, the question of the erection of such building shall be submitted to the qualified electors of said village at any annual municipal election, of which ten days' notice shall be given in a newspaper of general circulation in said municipal corporation, and by posting copies of said notice at not less than five of the most public places in the corporation, at least ten days before said election, and if two-thirds of the ballots cast at such election be in favor of such improvement, then, and not otherwise, shall the council of said village be authorized to issue said bonds hereinbefore provided. Those voting in favor of the erection of such building shall have written or printed on their ballots the words, "Town hall—Yes;" and those voting against the erection of such building shall have written or printed on their ballots the words, "Town hall—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 127].

AN ACT

To authorize the board of county commissioners of the county of Williams, to issue bonds and to either repair, enlarge and improve the present court house, or to build a new court house in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of the county of Williams are hereby authorized to either repair, enlarge and improve the present court house, or to erect a new court house at the county seat of said county; such court house, whether the present structure repaired, enlarged and improved, or an entirely new structure, shall include a good, serviceable basement, and also sufficient and suitable rooms of adequate dimensions for the convenient transaction therein of the county and public business of the courts and various county officials of said county; also fire proof vaults for the records and unrecorded papers of, and belonging to the various county officers; also the best modern methods of ventilation, drainage, lighting and heating; also, tile floors and slate and metal, or metal roof with iron frame work and supports. The said county commissioners shall, within two months from and after the passage of this act, determine which they deem best for the interests of said county, whether the repair, enlargement and improvement of the present court house, or the erection of an entirely new one, and have such determination forthwith entered upon their journal. Plans and specifications of and for

either the said repair, enlargement and improvement, or the said new structure, according as the said commissioners shall have, as aforesaid, determined upon, shall be adopted, and the contract let, according to law, within six (6) months from and after the passage of this act, which contract shall require the said structure, which has been, as aforesaid, determined upon, to be completed within as short a time as practicable.

SECTION 2. That the county commissioners of said Williams county, for the purpose of thus repairing, enlarging and improving said court house, or of erecting the said new court house, as shall have been, as aforesaid, determined, are hereby authorized to borrow such sums of money, not exceeding fifty thousand dollars ($50,000), as they shall deem necessary, at a rate of interest not exceeding six (6) per cent. per annum, and issue the bonds of said county therefor. The principal of said bonds shall be payable at such time or times, not exceeding twenty years after their date, as the said commissioners shall therein specify, and the interest of said bonds shall be payable semi-annually. The said bonds shall not be sold for less than their par value.

SECTION 3. That the bonds so issued shall specify distinctly the purpose for which they are issued, shall be in such respective sums as the said commissioners shall determine, shall be payable to bearer at such place as said commissioners shall therein designate, and shall be signed by said commissioners, and attested by the county auditor of said county; and said county auditor shall keep a record of all bonds issued and coupons thereto attached.

SECTION 4. That for the purpose of paying the interest on said bonds, and the principal of the same as they become due, the commissioners of said county shall annually levy a sufficient tax upon all the taxable property in said county, in addition to the taxes now by law authorized to be levied thereon.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 532].

AN ACT

To divide the township of Jerome, Union county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Jerome, in the county of Union, state of Ohio, be and the same is hereby divided into two election precincts, the division to be defined by the following lines: Commencing at the Bruce Robinson road, in the line dividing the township of Jerome and Darby, two miles north of the Madison county line; thence one and a half miles in a north-

easterly direction past the James Ketch school house, to the next [west?] line of the James Curry survey No. 1440; thence with the west line of said survey one and three-fourths miles to a point near the southeast corner of Perry Douglas' land; thence five and three-fourths miles in a northeasterly direction to what is known as the A. H. McCampbell and DeWitt road, and following the course of said road to the Franklin county line.

SECTION 2. All of said township lying north of the line aforesaid, shall be called the northern precinct, with the voting place at New California; and all the territory south of said line shall be called the southern precinct, with the voting place in that portion of Plain City, lying within the limits of said precinct.

SECTION 3. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 568]

AN ACT

To authorize the commissioners of Adams county to repair and construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio, be and they are hereby authorized to repair and construct the following free turnpike road, to-wit: a portion of which was formerly called the Ripley and Locust Grove turnpike, lying between Tranquility and Marble Furnace, and thence to a point of intersection with the Locust Grove and West Union turnpike, at or near Peebles, Ohio.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax, not exceeding two mills on the dollar annually, on all the taxable property of said county for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may at any regular or special session agree upon plans and specifications and order said improvement, or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 633].

AN ACT

To authorize the commissioners of Muskingum county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Muskingum county be and are hereby authorized and empowered to transfer the excess in the dog tax fund from the school fund to the county fund.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 541].

AN ACT

To authorize the village council of the incorporated village of Springboro, Warren county, Ohio, to issue bonds and levy a tax for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Springboro, Warren county, Ohio, be and the same is hereby authorized to issue the bonds of said village in an aggregate sum not exceeding five thousand dollars, bearing interest at a rate not exceeding seven per centum per annum from date of issue, (said interest payable semi-annually,) for the purpose of providing said village with a system of public water-works.

SECTION 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk thereof, and shall not be sold for less than their par value, and shall be issued at such times and in such amounts, and mature at such dates respectively, as the council of said village shall determine by ordinance; and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and the interest thereon when the same become due.

SECTION 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds and constructing, paying for, and maintaining water-works for said village, which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village enacted in conformity therewith.

SECTION 4. Before such bonds shall be issued or tax levied, the question of issuing said bonds and the levying a tax therefor, the same shall be submitted to a vote of the qualified electors of said village at a regular election or a special election called for that purpose, as the council of said village may order; notice of such election shall be given by public

notice posted up at five of the most public places in said village at least five days before said election. The tickets voted at said election shall have written or printed thereon, "Authority to issue bonds, yes," or "Authority to issue bonds, no." If the proposition to issue bonds is approved by a majority of all the voters voting at said election, the council of said village shall have authority to issue the said bonds and levy the said tax as provided for in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 648].

AN ACT

For the relief of Jonathan Perkins, James K. Murphy, Moses Perkins, Samuel Perkins, James A. Brown, C. C. Anderson, David Rolston, Marcus Howell, George Chessell and Lafayette Murphy, sureties on the official bond of J. N. Perkins, late township treasurer of Kirkwood township, Belmont county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Jonathan Perkins, James K. Murphy, Moses Perkins, Samuel Perkins, James A. Brown, C. C. Anderson, David Rolston, Marcus Howell, George Chessell and Lafayette Murphy, as sureties on the official bond of J. N. Perkins, late township treasurer of Kirkwood township, Belmont county, Ohio, be relieved from the payment of eight hundred dollars on said official bond.

SECTION 2. Before said relief shall be granted to said sureties, the question for such relief shall be submitted to the qualified voters of said township at the regular spring election for township officers, and if two-thirds of all the votes cast be in favor of said release, the same shall be granted; and it shall be the duty of the township clerk of said township to post notices of such proposed relief in at least three of the most public places in each voting precinct in said township at least ten days prior to said election.

SECTION 3. The tickets for said proposed relief shall have written or printed thereon the words: "For relief of sureties on official bond of J. N. Perkins, Yes;" "For relief of sureties on official bond of J.N. Perkins, No."

SECTION 4. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 628].

AN ACT

To change the name of William Fawcett to William Stephenson.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of William Fawcett, of Logan county, Ohio, be and the same is hereby changed to that of William Stephenson.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 261].

AN ACT

To authorize the city council of Urbana, Champaign county, Ohio, to issue bonds and to levy a tax for the purpose of constructing a city building and hall in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Urbana, Champaign county, Ohio, be and the same is hereby authorized to issue the bonds of said city in an aggregate sum not to exceed twenty-five thousand dollars, bearing interest at a rate not to exceed five per centum per annum from date of issue, payable semi-annually, for the purpose of enabling said city council to construct and furnish a city building or hall.

SECTION 2. Said bonds shall be signed by the mayor of said city and countersigned by the city clerk of said city and shall not be sold for less than their par value, and twenty (20) days' notice of the time and place of the sale thereof shall be given by publication in two newspapers of general circulation in said county, and shall be issued at such times and in such amounts, and mature at such dates respectively as the city council of said city shall by ordinance determine; and said city council is hereby authorized to levy a tax upon all the taxable property of said city to pay said bonds and the interest thereon, not to exceed one and three-tenth[s] mills on the dollar in any one year.

SECTION 3. The funds realized from the sale of said bonds shall be used by the city council of said city for the purpose of constructing and furnishing said city building or hall and for no other purpose, and the tax levied to pay such bonds and the interest thereon, shall, when collected, be passed to a fund to be called the city building fund; provided, however, that when all of the bonds issued under this act and the interest thereon have been paid, there be any monies remaining in said fund, the same shall be transferred to the corporation fund of said city.

SECTION 4. For the purpose of carrying out the provisions of this act, the city council and the city clerk and other officers of said city shall be exempted from the provisions of section 2702 of the Revised Statutes of Ohio as amended April 18th, 1883.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No. 631].

AN ACT

To change the name of Warren W. Paine to Warren W. Blakesly.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Warren W. Paine, of Dayton, Montgomery county, be and the same is hereby changed to that of Warren W. Blakesly.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[House Bill No 638.]

AN ACT

To authorize the village of Canal Fulton, Stark county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Canal Fulton, Stark county, Ohio, be and is hereby authorized to transfer eight hundred dollars ($800) from the marshal's fund, to the following funds, viz: one hundred dollars to the fire fund, and seven hundred dollars to the street fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 202].

AN ACT

To create a joint sub-school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory comprised in the townships of Xenia and Cæsar's Creek, in Greene county, described and bounded as follows, to-wit: Commencing at a point on the north bank of Cæsar's Creek in military survey No. 1391, in Xenia township, on the line between I. A. Beall and the late W. T. Beall, and running thence in a northwesterly direction to the northeast corner of James McDonald's land; thence north to the northeast corner of James McDonald's land; thence west to the northwest corner of said McDonald's land; thence south with said McDonald's line to the intersection of the stone quarry road and the Wilmington pike; thence with the line of said pike to the northeast corner of James Peterson's land; thence in a westerly direction with the line of said Peterson to a point half-way between said pike and the land of E. U. Bell; thence south to the corner of Ezra Peterson's land; thence with the line between Ezra Peterson and James Peterson to the northwest corner of Laban Atkinson's land; thence in a southwesterly direction, including the house of said Atkinson, to the north bank of Cæsar's Creek; thence up the creek, with the meanderings thereof, to a point opposite the line between J. M. Peterson and Ollie Peterson; thence south, crossing said creek into Cæsar's Creek township, and with the line between said J. M. and Ollie Peterson, to the southwest corner of said Ollie Peterson's land; thence in an easterly direction to the intersection of the Wilmington pike and the Ireland road; thence south with the Wilmington pike to a small creek; thence up the creek with the meanderings thereof to a point opposite the southwest corner of W. F. Ireland's land; thence with the line between said Ireland and John Smith to the southeast corner of said Ireland's land; thence northeast with the line of said Ireland, recrossing said Cæsar's Creek into Xenia township, to the place of beginning, be and the same hereby is, for school purposes, constituted a joint sub-district, with all the privileges, rights and powers, and subject to all the conditions of joint sub-districts established in pursuance of the Revised Statutes of Ohio. And a school-house, with proper appurtenances, shall be erected and furnished, and school maintained therein, and the duties and liabilities of all officers in respect thereto fixed in all respects as if so established, except as in this act otherwise provided.

SECTION 2. The school-house site for said joint sub-district shall be one acre of ground at the intersection of the Beall road with the Wilmington and Xenia turnpike road, on the northwest corner of the homestead farm of Robert Spahr, in Xenia township; provided, that if the board of education of said Xenia township cannot purchase said site for a sum deemed by it reasonable, it shall forthwith proceed to condemn the same in pursuance of law. On procuring said site such board shall cause a school-house, with appurtenances, to be constructed thereon, suitable to the wants of said sub-district, and properly furnish the same by the first day of September, 1888, at a cost not exceeding $1,500.00; and if found necessary in that behalf, said board shall exercise the powers and authority conferred by section 3993 of said Revised Statutes.

SECTION 3. The first election for local directors in said joint sub-district shall be held at the residence of Robert Spahr therein, on the second Monday of April, 1888, between the hours of 2 o'clock and 6 o'clock p. m. Three judges and one clerk of election shall be chosen from the bystanders, being electors, who, being first duly qualified, shall conduct the election according to law, and certify the result thereof to the clerk of said Xenia township. One director shall be chosen thereat for one, one for two and one for three years. Said local directors, after organization, shall forthwith cause an enumeration to be taken and certified to the auditor of said county, of the children of school age in said joint sub-district, specifying the number in said Cæsar's Creek township and also the number in said Xenia township.

SECTION 4. On return to him of the enumeration provided for in the preceding section, said auditor shall, for the purpose of erecting and furnishing said school-house and appurtenances, cause a levy to be made in the year 1888 on the taxable property of Xenia and Cæsar's Creek township school districts of $1,500.00, proportioned to them respectively as the number of such children of school age in each bears to the whole number of said children in said joint sub-district.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Bill No. 192].

AN ACT

To authorize the trustees of Union township, in Ross county, to levy a tax on the North Union precinct of said township, and issue bonds for the purchase of cemetery grounds, and the improvements thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Union township, Ross county, Ohio, be and are hereby authorized to issue bonds to the amount of one thousand dollars, payable in one, two, three, four and five years, bearing a rate of interest not exceeding six per cent., payable annually, for the purpose of purchasing or appropriating lands adjoining Spring Bank graveyard in said precinct of North Union, not exceeding five acres, and to improve the same for cemetery grounds for said North Union precinct; said bonds shall not be sold for less than their par value, and shall be signed by the trustees of said township, and be attested by the clerk of said township.

SECTION 2. Before such bonds, or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of said North Union precinct at the first regular election after the passage of this act. The tickets voted shall have written or printed thereon the words, "Authority to issue cemetery bonds—Yes;" or "Authority to issue cemetery bonds—No." If the proposition to issue bonds be ap-

proved by three-fourths of those voting upon the proposition, the said trustees shall have authority to issue such bonds for the purpose named, as provided in this act.

SECTION 3. At said election, the voters of said precincts shall elect three cemetery trustees, who shall serve until their successors are elected and qualified. The one receiving the highest number of votes shall serve for three years; the one receiving the second highest number of votes shall serve for two years; and the one receiving the lowest number, shall serve for one year, and annually thereafter, one trustee shall be elected to serve for three years. When any vacancy occurs the township trustees may fill the vacancy for the unexpired term. They shall elect one of their number clerk of the board, who shall carefully keep all plats made; they shall also elect a treasurer, who shall give bond to the acceptance of the township trustees. After said lands has been acquired, the said cemetery trustees shall have full control of said Spring Bank cemetery grounds in accordance with sections 1466, 1467 and 1468 of the Revised Statutes, so far as they may be applicable, and if the amount herein named proves to be in excess of the amount necessary to pay for the additional grounds, the balance shall be paid over to the cemetery trustees to be expended as provided by above named sections.

SECTION 4. For the purpose of raising the money to pay said bonds and the interest thereon, as each matures, the said trustees are hereby authorized to levy a tax, not exceeding one mill on the dollar in any one year, on all the taxable property in the North Union precinct of said township, in addition to the taxes now authorized by law, to meet said indebtedness.

SECTION 5. That this act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed in Senate March 24, 1888.

[House Bill No. 645]

AN ACT

To authorize the council of the village of Grand Rapids, Wood county, Ohio, to borrow money and issue bonds therefor, to pay outstanding indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Grand Rapids, Ohio, Wood county, be and the same hereby is authorized to borrow money and issue bonds therefor, of the said village of Grand Rapids, in the sum of not exceeding five thousand dollars, in denominations of not less than one hundred, nor more than five hundred dollars each, bearing interest at a rate of not more than six per cent. per annum from the date of issue, payable annually, or as the council may determine; the proceeds to be

used for the purpose of liquidating floating indebtedness of said village now outstanding.

SECTION 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable within ten years from the date of said bonds, as the council may determine; and the council of said village is hereby authorized to levy a tax upon all the taxable property of said village, in addition to that now authorized by law to be levied, to pay said bonds and interest as the same becomes due.

SECTION 3. Said bonds shall not be issued, nor a tax levied for the same, until the question shall have first been submitted to the voters of said village, at a general or special election, of which at least ten days' notice shall be given by publication in some newspaper, printed and having general circulation in said village, or by posting written or printed notices of said election in at least five (5) places of general resort, for at least ten (10) days previous to such election; at such election, the tickets used in voting shall have the words, "Authority to issue bonds—Yes;" or "Authority to issue bonds—No," written or printed upon them. No bonds shall be issued under this act, unless a majority of such votes shall be in favor of the issue of such bonds.

SECTION 4. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[House Bill No. 635].

AN ACT

To authorize the trustees of Jackson township, Paulding county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Jackson township, Paulding county, Ohio, are hereby authorized to transfer one hundred and forty-three and 65-100 ($143.65) dollars from the special road fund, and two hundred and sixty-two and 66-100 ($262.66) dollars from the building fund to the township road fund of said township.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[House Bill No. 629].

AN ACT

To authorize the village of North Amherst, Lorain county, Ohio, to issue bonds for the purpose of purchasing a fire engine, with its necessary apparatus and equipments, for the use of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of North Amherst, Lorain county, Ohio, be and hereby is authorized and empowered to issue bonds, not to exceed in amount four thousand dollars, for the purpose of purchasing a fire engine and its necessary apparatus and equipments, for said village; said bonds shall bear such rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall mature at such times as said council shall determine; said bonds shall not be sold for less than their par value.

SECTION 2. That for the purpose of paying said bonds and interest thereon, the said council is hereby authorized to levy a tax upon all the taxable property of said village; said tax shall be levied and collected in the same manner as taxes for general purposes are now levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[House Bill No. 637].

AN ACT

To authorize the trustees of Ottawa township, Putnam county, Ohio, to expend upon the public roads of said township, the surplus of money which has accrued from the levy authorized by the act of April 13, 1880 (77 O. L., page 393).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Ottawa township, in Putnam county, Ohio, be and they are hereby authorized and empowered to expend, in the improvement and repair of any of the public roads of said township, the surplus of money accrued, and now on hand, from the four mill levy authorized by the act of April 13th, 1880 (O. L., vol. 77, page 393).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[House Bill No. 623].

AN ACT

To change the name of Harriett L. Phillips to Harriett L. Close.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the name of Harriett L. Phillips, unmarried, a resident of Plymouth, Richland county, Ohio, be and the same is hereby changed so as to be and read as follows, to-wit: Harriett L. Close.

SECTION 2. That such change shall in nowise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 26, 1888.

[Senate Bill No. 262].

AN ACT

To change the name of Sarah Wilson to Sarah Lynch.

SECTION 1. *Be it enacted by* [*the General Assembly of*] *the State of Ohio,* That the name of Sarah Wilson, a resident of Trumbull county, Ohio, be and the same is hereby changed to Sarah Lynch.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 647].

AN ACT

Authorizing the commissioners of Butler county to make an appropriation to the agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Butler county, Ohio, be and are hereby authorized to make an appropriation of the sum of five thousand ($5,000.00) dollars out of any money in the treasury of said county, and pay the same to the Butler county agricultural society, to aid and assist said so-

ciety in building new seats and accommodations on the grounds belonging to said society. Should there be no funds in said treasury that can be so appropriated, then said county commissioners are hereby authorized, empowered and required to sell the bonds of said county to the amount of said sum of five thousand dollars ($5,000.00), payable at any time not longer than ten (10) years from their date, and bearing no greater interest than six per cent. per annum, and to be sold for not less than their par value; and out of the proceeds of the sale of said bonds, should it be necessary so to do, said county commissioners shall pay said sum of five thousand dollars ($5,000.00) to said agricultural society.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 639].

AN ACT

To create an additional voting precinct in Marlborough township, Stark county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Marlborough township, Stark county, state of Ohio, be and is hereby divided into two separate voting precincts, dividing said township north and south, commencing on the north line of said township on the quarter section line in section three (3), thence running south with said quarter section line through sections No. three (3), ten (10), fifteen (15), twenty-two (22), twenty-seven (27) and thirty-four (34), all territory east of said line to constitute and be known as the east precinct, and all territory west of said line to constitute and be known as the west precinct, the trustees of said township of Marlborough to fix the places of holding elections in said precincts.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 136.]

AN ACT

To divide Miami township, Montgomery county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Miami, county of Montgomery, be, and is hereby divided into two election precincts, as follows: Commencing at the east line of said township in the centre of the Centreville and Miamisburg turnpike, following the centre of said turnpike to the crossing of the county road, known as the "Eagle" road, thence following the centre of said road to the section line dividing sections 20 and 21, thence by said section line west to the Great Miami river, thence following the river to the Jefferson township line. That all territory south of said line shall be precinct "A", with the voting place at the village of Miamisburg, and that all territory north of said line shall be precinct "B", with the voting place at the village of West Carrollton.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 140].

AN ACT

To authorize the village council of the incorporated village of Swanton, Fulton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Swanton, Fulton county, Ohio, be and are hereby authorized to transfer any sum they may deem necessary, not exceeding eight hundred dollars ($800.00), from the general fund of said village to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 656].

AN ACT

To authorize the trustees of Jefferson township, Greene county, to pay James M. Christy, William A. Carnes [and] LaFayette Lucas, a certain amount of money for purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Jefferson township, Greene county, Ohio, be and are hereby authorized to pay out of the township fund of said township, to James A. Christy, William A. Carnes, and LaFayette Lucas, the sum of one hundred and twenty-four and 52-100 ($124.52) dollars, that being the amount paid by them as bondsmen on defalcation of township treasurer.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 485].

AN ACT

To enlarge the Lewistown special school district in Logan county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Lewistown special school district, in Logan county, be enlarged, to take in and include the following described additional territory and the citizens therein residing, and that the same shall constitute and hereafter form a part of said special school district, with all the privileges, rights and obligations pertaining to the same, to-wit: Beginning at a point on the east bank of the Great Miami river where said river is crossed by the north line of land formerly owned by Isaac Plum, deceased, in sections 22 and 23, town seven (7), range eight (8); thence south 87 degrees, east with the north line of said Isaac Plum's land about 180 poles to a stone in the Loganville road; thence with said road south 3 1-2 degrees east 18 poles; thence south 86 1-2 degrees, east 62 8-10 poles to a stone in the west line of lands of William Brunson; thence south on the west line of said Brunson's land to his southwest corner; thence with his line about 80 poles to corner of land of William H. Plum; thence south with Plum's west line about 40 rods to his corner in north line of front land; thence east about 80 rods to another corner of Plum's land in west line of section 25, town 7, range 8, in center of a road; thence south with said road about 80 rods to said Plum's southwest corner; thence east about 160 rods to southeast corner in west line of I. W. Schultz's land, in centre of a road; thence with said road north about 80 rods to a point in the north line of said section 25, town 7, range 8, at southwest corner of land formerly owned by William McKinnon, being the southwest corner of the southeast quarter of section

24, town 7, range 8; thence east about 160 rods to the southwest corner of said section 24; thence north about 80 rods to the northeast corner of said McKinnon tract of land; thence west 160 rods to a stone in center of road, the northwest corner of said McKinnon tract of land; thence north with said road about 80 rods to a point in center of Lewistown and Muchinippi pike; thence with said pike; thence west with said pike about 60 rods to the southeast corner of 5-acre tract now owned by Mr. Brunson, in the northwest quarter of section 24, town 7, range 8; thence north with same line of 5-acre tract to the northeast corner thereof; thence with the north line thereof to the northwest corner thereof; thence north with the east line of a 50-acre tract of land, owned by said William Brunson, about 80 rods to the northeast corner of said tract of 50 acres; thence west about 80 rods to a point in the east line of Amos Cherry's land in the west line of said section 24, town 7, range 8; thence south with the west line of said section 24 to a point in the center of the Lewistown and Muchinippi pike, the southwest corner of the northwest quarter of said section; thence with said pike westward to a point in said pike at the intersection of road; thence with said road to the northwest corner of the northeast quarter of section 23, town 7, range 8; thence west on the north line of said section 23 to the Miami river; thence with the meanderings of said river to the place of beginning.

SECTION 2. All the lands described in the preceding section shall be subject to taxation within and for the benefit of said special school district, and all pupils of school age now or hereafter residing therein shall be entitled to the privileges of said special school district the same as pupils residing within said original district; and this act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 614.]

AN ACT

To authorize the commissioners of Columbiana county, Ohio, to straighten and change roads, and pay damages therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever the commissioners of Columbiana county deem it necessary for the good of public travel to change the width, grade or location of any public highway in said county, they may, upon their own motion, without petition, cause such straightening, change or changes to be made in such road or roads, and for these purposes, shall employ a competent surveyor and proceed to view, re-survey, lay out and correctly mark said road throughout, with the changes therein made, together with the width thereof, and the surveyor shall make and deliver to the commissioners a correct certified return of the survey of said road, and a plat of the same,

together with a pertinent description of any lands required to be used in making any such proposed changes, and the commissioners shall cause the survey and plat of said road to be recorded, and thenceforth such road, as re-surveyed and changed, shall be considered a public highway, and any portion of such original road not included in the re-survey and record so made, shall be considered useless and vacated thereby. The commissioners and owners of any such lands so to be used, may agree upon the amount of compensation and damages to be paid therefor, and when such lands are owned by minors or other persons under guardianship, such agreement may be made with the guardian of such wards, subject to the approval of the probate judge, and in case they are unable so to agree. the commissioners may appropriate the same, and for this purpose they shall make application in writing to the court of common pleas, or to a judge thereof in vacation, or probate court of the county, which application shall contain the name or names of the owner or owners of the respective parcels of land sought to be appropriated, together with a pertinent description and plat of all such lands, and thereupon the same proceedings shall be had, as provided for the appropriation of private property by municipal corporations for [] far as applicable, and in such cases the jury, in assessing the compensation and damages, shall be governed by the provisions of section 4642, Revised Statutes, and in all such causes, wherein the commissioners, before making such application, have offered to allow and pay such owners compensation and damages, and the amount returned by the jury does not exceed the amount so offered by said commissioners, the cost of such proceedings so far as they relate to such owner and his land shall be adjudged against him. The commissioners may cause to be paid from the county treasury all compensation and damages to landowners and costs of re-surveys and other proceedings provided for in this section out of the fund created by the levy under section 4919.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 437].

AN ACT

For the relief of C. C. Stokes, treasurer of Zane township, Logan county, Ohio.

WHEREAS, The house of C. C. Stokes, treasurer of Zane township, Logan county, (a township not provided with a burglar proof safe), was on the night of the 2d day of January, 1888, burglarized and robbed of five hundred and sixty dollars, belonging to the said township, road, bridge, cemetery, and school funds of said township:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.*

That the township trustees of Zane township, in the county of Logan, are hereby authorized to submit to the qualified electors of said township at an annual election, ten days' notice of which shall be given before the day of said election, by written or printed posters, in at least ten public places in said township, the question of releasing C. C. Stokes, treasurer of said township and his sureties from the loss of said five hundred and sixty dollars.

SECTION 2. That the voters of said township desiring to vote for such relief shall have written or printed upon their ballots the words, "For the relief of C. C. Stokes—Yes;" those desiring to vote against such relief shall have written or printed upon their ballots the words, "For the relief of C. C. Stokes—No."

SECTION 3. That if a majority of all the votes cast at said election shall be in favor of said release, then said trustees and board of education of said township shall release said C. C. Stokes and his sureties, from all liability arising from said loss.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 220].

AN ACT

To authorize the city of Columbus to borrow money and issue bonds therefor, for the purpose of constructing an intercepting sewer in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Columbus be and they are hereby authorized and empowered to issue the bonds of the city of Columbus, in an amount not exceeding five hundred thousand dollars, in addition to the amount now authorized by law, for the purpose of constructing and maintaining a main trunk or intercepting sewer between such points as the city council of said city of Columbus may determine, so as to intercept the sewers and carry off the sewerage of said city of Columbus to a proper and convenient point below said city. Said bonds shall be issued as needed for such purpose, as the prosecution of the work may require, in such denominations, not exceeding one thousand dollars each, as the said city council may determine, and shall be payable in twenty years and redeemable in ten years from their date. All of said bonds shall bear such rate of interest, not exceeding six per cent. per annum, payable annually or semi-annually, as the city council may determine; and said bonds shall in all respects be made and disposed of as provided by law.

SECTION 2. The city council of the city of Columbus shall levy annually, on all the property in said city, a tax sufficient in rate and

amount, to pay the accruing interest on said bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes, and the discretion of said city council in making such levy shall not be limited or affected by any action of the board of tax commissioners of said city.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 650].

AN ACT

To authorize the trustees of Burlington township, Licking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Burlington township, Licking county, Ohio, be and they are hereby authorized to transfer the sum of three hundred dollars ($300.00) from the township fund to the cemetery fund of said township.

SECTION 2. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 109].

AN ACT

To create the township of Akron and change the boundaries of Coventry, Portage and Tallmadge townships in the county of Summit.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all the territory now contained within the corporation lines of the city of Akron, and now constituting the whole of the township of Middlebury and parts of the townships of Coventry, Portage and Tallmadge, in the county of Summit, be and the same is hereby created and erected into and constituted a new township, to be known and designated as Akron township. That those parts of the townships of Coventry, Portage and Tallmadge, in Summit county, which lie within the present

corporate limits of the city of Akron, be and the same are hereby detached from said townships respectively, and transferred to said township of Akron, and that the township of Middlebury be merged into said township of Akron, and that the northerly boundary of Coventry township, the easterly and southerly boundaries of Portage township, and the westerly and southerly boundaries of Tallmadge township, be so changed as to conform to the boundary lines of said township of Akron, and said township of Akron is hereby constituted with all the rights and privileges of a township within the state of Ohio. That said Akron township shall be divided into as many voting precincts as there are voting precincts in the city of Akron, and the boundary line of said precincts shall correspond with those of said city of Akron. When the number and boundaries of the voting precincts of said city are hereafter changed the precincts of said townships shall be changed to correspond therewith.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 263].

AN ACT

To authorize the village council of the village of Hubbard, Trumbull county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Hubbard, Trumbull county, Ohio, is hereby authorized to transfer four hundred dollars from the police fund to the general fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[House Bill No. 542].

AN ACT

To authorize the township trustees of Green township, Clinton county, Ohio, to levy a tax to liquidate the indebtedness of New Antioch cemetery association.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Green township, Clinton county, Ohio, be and are hereby authorized to levy a special tax of ($600) six hundred

dollars, on the taxable property of New Antioch precinct, of Green township, Clinton county, to liquidate a debt now due against the New Antioch cemetery association of such precinct; provided, that at a regular election in said New Antioch precinct of Green township, Clinton county, Ohio, a majority of the voters of such precinct, voting at such election, votes for such tax.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 27, 1888.

[Senate Bill No. 264].

AN ACT

To authorize the trustees of Richland township, Allen county, Ohio, to transfer certain funds named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Richland township, Allen county, Ohio, be and is hereby authorized to transfer the sum of two hundred dollars from the township fund, and three hundred dollars from the bridge fund, to the building fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON
President of the Senate.

Passed March 27, 1888.

[House Bill No. 290].

AN ACT

To amend section 5 of an act entitled "an act to amend an act entitled, 'an act to enable the commissioners of Montgomery and Morrow counties to purchase toll roads, and to convert the same into free roads,'" passed April 12, 1880 (O. L., vol. 77, p. 386).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5 of the above entitled act be amended so as to read as follows:

SEC. 5. For the purpose of paying the bonds named in this act, and the interest thereon, the county commissioners are authorized and

empowered to annually levy upon the grand duplicate of the county an amount, which, in their opinion, may be sufficient for the payment of said bonds and interest thereon; and for the purpose of keeping said roads in repair, the county commissioners are authorized and empowered to annually levy upon the grand duplicate of the county an amount sufficient to keep said roads in repair, which fund shall be known as a special pike fund, and shall be and remain under the control of the county commissioners, and be used and expended by them for keeping in repair and maintaining said roads.

SECTION 2. Said original section 5 of the above entitled act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 239.]

AN ACT

To authorize the village of Spring Valley and Spring Valley township, Greene county, Ohio, to unite in the purchase of a site and erect thereon a town hall in said village, and to issue bonds for the purpose of raising money therefor, and for other purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Spring Valley and Spring Valley township, in Greene county, Ohio, be and are hereby authorized to unite in the purchase of a site and the erection thereon of a town hall in said village. Said hall to be owned by said village and township in such proportions as the council of said village and the board of trustees of said township may determine. And to meet the payment of the bonds and the interest thereon hereinafter authorized to be issued to raise money for said purpose, said village and township be and are hereby respectively authorized to levy a tax yearly, so long as may be necessary, on the taxable property in each, not exceeding three mills on the dollar, to be collected as other taxes.

SECTION 2. The council of said village is hereby authorized to issue and sell at private sale, at not less than par, the bonds of said village, in any sum not exceeding three thousand dollars, and in denominations not exceeding five hundred dollars, bearing interest not exceeding six per cent. per annum, payable semi-annually, and said bonds to be payable at such places and at such times, not exceeding fifteen years from the date of issue, as said council may determine. And the trustees of said township are hereby authorized to issue and sell, in like manner, at not less than par, the bonds of said township, in any sum not exceeding five thousand dollars, in denominations not exceeding one thousand dollars,

bearing interest not exceeding six per cent. per annum, payable semi-annually, and said bonds to be payable at such places and at such times, not exceeding fifteen years from date of issue, as said trustees may determine; and the money arising from the sale of said bonds shall, so far as may be necessary, be used for the purpose of defraying the expenses for the purchase of said site and the erection of said town hall; and said bonds shall be issued and sold in all respects, not herein provided, according to law.

SECTION 3. The council of the said village of Spring Valley, and the trustees of said township, are hereby authorized and empowered to unite with the Independent Order of Odd Fellows now located at, and are holding their regular lodge meetings in said village of Spring Valley, in the purchase of said site and the erection of said hall, or make such other terms of joint occupancy as may be agreed upon by the respective parties.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 219].

AN ACT

To authorize the school board of the Granville village school district, in Granville, Licking county, Ohio, to issue bonds to build a school house and purchase site if necessary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Granville, Licking county, Ohio, be and hereby is authorized to borrow a sum of money not to exceed twenty thousand dollars ($20,000.00), to be applied to the payment of the expense to be incurred by said board of education in the erection and furnishing of a school building or buildings in said village and purchasing a site therefor if necessary, and said board shall obtain the approval of the state board of health to any proposed system of heating and ventilating the said school building.

SECTION 2. That for the purpose aforesaid, the board of education of said village is authorized to issue and sell the bonds of said village school district, to be signed by the president and clerk of said board of education, said bonds to be of such denomination as said school board shall by resolution prescribe, but said bonds to be for sums not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00) each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding twenty years from the respective dates thereof, as said school board may determine, which bonds shall be sold for not less than their par value in cash.

SECTION 3. The clerk of said school board shall keep a record of said bonds, showing the number, amount and date of each, when due, and the rate of interest, and when paid they shall be taken up and canceled, and the fact noted on the record.

SECTION 4. For the payment of the principal and interest of said bonds, as the same shall become due, the board of said school district is hereby authorized and required to levy a tax on all the taxable property within the limits of said school district in such amount as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 5. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 678].

AN ACT

To authorize the trustees of the township of Kingsville, Ashtabula county, Ohio, to build a second story to the town hall in said township, and sell or lease the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the trustees of the said township of Kingsville be and they are hereby authorized to build a second story to the town hall in said township, and a passage way thereto, at a cost not exceeding eight hundred dollars, and sell or lease said second story, with the right to pass to and from the same, upon such terms, and to such person or persons, or society, as to them may seem to be for the best interest of said township; provided, that when a sale or lease shall have been agreed upon the said agreement shall be reduced to writing and signed by a majority of said trustees and the person or persons to whom the sale or lease is made, and acknowledged before some person authorized to take acknowledgments; and when so executed and acknowledged the same shall be entered for record in the recorder's office of said county; and the same thereafter shall be conclusive evidence of the terms of the agreement between the said person or persons and said township and its trustees, and the rights of said parties; and, provided further, that in case of the sale or lease of said second story, the same shall be appraised and taxed as other private property.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 25].

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for grading, macadamizing and improving a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, Ohio, be and they are hereby authorized to assess and collect upon the general levy of all the taxable property therein a tax of one-tenth (1-10) of one mill on each dollar valuation thereof, one-half of which shall be assessed and collected on the tax duplicate of 1888, and the remainder on the tax duplicate of 1889, for the purpose of improving Pleasant Ridge and Columbia road, in Sycamore and Columbia townships, along the following described route: beginning in the Pleasant Ridge road on the line between sections 25 and 26, E., R. 1, town 4, Miami purchase; thence running southerly along said road to Pleasant Ridge, crossing the Montgomery pike; thence southerly along Columbia road to the Madisonville pike at Oakley, to be known when improved as Pleasant Ridge road.

SECTION 2. The money arising from said tax shall be applied under the direction of the commissioners of said county to the grading, graveling, bridging, culverting and macadamizing of said road.

SECTION 3. This act shall take [effect] and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 151].

AN ACT

To provide for the transfer of certain funds in the township of Washington, Morrow county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Washington township, Morrow county, Ohio, are hereby authorized and empowered to transfer seventy-five ($75.00) dollars from the special fund to the township fund, and three hundred and seventy-one and 8-100 ($371.08) dollars from the said special fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 457].

AN ACT

To authorize the board of education of Mineral City special school district, Tuscarawas county, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the schools of the Mineral City special school district, in Tuscarawas county, Ohio, is hereby authorized to borrow, not to exceed eight thousand dollars, to be used in the erection of a new school building and furnishing the same; such board of education shall issue the bonds of said district, bearing interest not to exceed six per centum per annum, payable semi-annually, which bonds shall not be sold for less than their par value, said principal and interest to be paid at such places and at such times, not to exceed fifteen years from the date thereof, as shall be deemed best by said board; the clerk of said board shall keep a record of the same; and it shall be the duty of said board to levy sufficient tax to pay the interest on said bonds, and the principal thereof as the same shall become payable.

SECTION 2. Said board of education shall have control of said funds, and shall expend the same for the purpose herein provided.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 655].

AN ACT

To authorize the board of county commissioners of Richland county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of Richland county, Ohio, be and they are hereby authorized to transfer the sum of four thousand dollars ($4,000.00) from the dog tax fund to the agricultural fund of said county, to apply toward the payment of the fair grounds already purchased by said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 626].

AN ACT

To amend an act passed March 9, 1887, entitled "an act to authorize the trustees of Perry township, Logan county, Ohio, to control and regulate the flow of water from artesian or overflowing wells."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Perry township, Logan county, Ohio, are hereby authorized and empowered to cause the flow of water from artesian or overflowing wells in said township of Perry, in said county of Logan, to be so regulated, by attaching reducers to the pipes through which the water goes to waste, or in any other way by which the flow of said wells may be regulated; and the said owners of said wells, if required by said trustees, shall, within ten days, put said wells in proper order, according to the provisions of this bill. And on failure so to do, said trustees may cause the same to be done, and the amount of the expense for such repairs, with interest and costs, may be collected before any justice of the peace within said township where said well or wells are located.

SECTION 2. Said original act is hereby repealed; and this act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 247].

AN ACT

To make the village [and township] of Medina, in Medina county, Ohio, separate districts for the appraisement of real estate for taxation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of making the decennial appraisement of real estate, and at each time thereafter, the incorporated village of Medina, and the township of Medina, of Medina county, Ohio, shall each constitute a district to make such appraisement for taxation; and the county commissioners of said county, in dividing said county into districts for the purpose aforesaid, shall divide the said village and township into two districts as herein provided.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 478].

AN ACT

To authorize the council of the village of New Comerstown, in Tuscarawas county, to vacate a part of certain streets therein named, and to acquire by purchase or condemnation the title to such vacated streets, and to sell the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Newcomerstown, in Tuscarawas county, Ohio, be and is hereby authorized to vacate so much of North Canal and Basin streets in said village as is situated between River and Goodrich streets, and lying immediately north of the Ohio canal, in Tufford's addition to said village.

SECTION 2. That said council may acquire the title to the ground so vacated by purchase, or may appropriate the same by proceedings in condemnation for the purpose of public improvements in said village.

SECTION 3. That said council, upon acquiring possession of said ground, as provided in section two, are hereby authorized to sell the same in the manner provided in section 2673*a* of the Revised Statutes, and apply the proceeds of a sale thereof to the cost and expense of straightening and extending Basin street from River street to Goodrich street, in said village.

SECTION 4. This act shall take effect and be in full force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 245.]

AN ACT

To authorize the transfer of certain funds in the village treasury of the incorporated village of College Hill, Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of College Hill, Hamilton county, Ohio, be and the same is hereby authorized and empowered to transfer an unexpended balance, in the sum of eighteen hundred and ninety-three dollars and eighty-three cents ($1,893.83), from the fund for erecting town hall to the fund for payment of interest on the public debt.

SECTION 2. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 270].

AN ACT

To authorize the village of New Straitsville, Perry county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Straitsville, Perry county, Ohio, be and is hereby authorized to transfer the sum of five hundred and fifty dollars ($550.00) from the police fund of said village to the street fund thereof, for bridge purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 235].

AN ACT

To authorize the county commissioners of Franklin county to appropriate and use moneys in the bridge fund for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Franklin county be and they are hereby authorized and empowered to appropriate and use from any money in the bridge fund, not heretofore appropriated and used, a sum sufficient to widen and grade what is commonly known and called the Granville turnpike, east from the east bank of Alum creek for a distance of 3,622 feet.

SECTION 2. That no part of such money shall be appropriated and used by such commissioners, for the purpose of compensating property owners along said Granville turnpike for the right of way.

SECTION 3. This act shall take effect from its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[Senate Bill No. 218].

AN ACT

To divide Pike township, Perry county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Pike, in the county of Perry, and state of Ohio, be and the same is hereby divided into two election precincts, as follows, to-wit: Sections twenty-eight (28), twenty-nine (29), thirty (30), thirty-

one (31), thirty-two (32), thirty-three (33), thirty-four (34), the south half of section twenty-seven (27), the south half of section nineteen (19), and the south half of section twenty (20) shall constitute one election precinct, and be known as the Bristol precinct of said township; and that the balance of said township not above described shall constitute the other precinct, and be known as New Lexington precinct of said township; and the elections in said precincts shall be held respectively in the villages of Bristol and New Lexington, in said township.

SECTION 2. This act shall take effect and be in force from and after the first day of June, 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 28, 1888.

[House Bill No. 470].

AN ACT

To authorize the commissioners of Lucas county to macadamize a certain part of the United States turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Lucas county are hereby authorized to macadamize that part of the United States turnpike (so called) from county road No. 228, to the south line of the grounds of the Toledo asylum for the insane.

SECTION 2. For the purpose of paying for the construction of the same, said commissioners are hereby authorized to issue the bonds of the county for such an amount as may be necessary. Said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and shall be made payable at any time within three years of the date thereof, at the discretion of the commissioners; and to be sold according to law, and for not less than their face or par value.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same shall become due and payable, the commissioners are hereby authorized and required to levy annually, on all the taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 389].

AN ACT

To authorize the council of the incorporated village of Bowling Green, Wood county, Ohio, to vacate the burying ground known as the "old cemetery" in said village, and to remove certain bodies buried therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Bowling Green, Wood county, Ohio, be and hereby is authorized and empowered to vacate the burial ground situate on Ridge street in said village, and known as the "old cemetery," and to remove the remains of those buried in said burial grounds; provided, that the remains to be removed as aforesaid, shall be provided with suitable burying places in the new cemetery of said village, places therefor to be selected and indicated by surviving friends, as far as practical, and in other cases by the cemetery trustees of said village, and all tombstones and other evidences of identity, shall be removed with said remains, and re-erected at the place of re-burial. A record of all unmarked remains removed shall be kept by the board of cemetery trustees, together with such evidence of identity as may be accessible.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 540].

AN ACT

To create a special road district in Miami township, Logan county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a new special road district be created in Miami township, Logan county, boundaries as follows: commencing for the same at the southwest corner of said Logan county; thence east with said south line of said county two miles to a stake; thence north one and one-half miles to a stake; thence west parallel with said south line two miles, to the Shelby county line; thence south along the east line of said Shelby county one and one half miles to the place of beginning, embracing all the territory within said boundary.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 471].

AN ACT

To provide for the issue and payment of bonds by the commissioners of Mercer county to meet and provide for a deficiency in the levy of the bridge fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Mercer county to meet and provide for a deficiency in the bridge fund for said county, be and they are hereby authorized to issue the bonds of said county for any amount not exceeding fifty thousand dollars ($50,000), in such sums and payable at such times, not exceeding fifteen years from the date thereof, as may be deemed best by said commissioners, bearing interest not to exceed six per centum per annum, payable semi-annually, and said bonds shall not be sold for less than their par value.

SECTION 2. That for the payment of the interest on and for the final redemption of said bonds, the commissioners of said county are hereby authorized to levy taxes upon all the taxable property of said county at such a rate not exceeding one mill in addition to levies for road and bridge purposes now authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay the same as they become due and payable. Said bonds shall be signed by the county commissioners, or any two of them, and countersigned by the county auditor.

SECTION 3. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 482].

AN ACT

To authorize the city of Columbus to borrow money and issue bonds therefor, for the purpose of constructing a market-house in West Columbus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Columbus be and they are hereby authorized and empowered to issue the bonds of the city of Columbus, in an amount not exceeding nine thousand dollars ($9,000), for the purpose of constructing a market-house in West Columbus. Said bonds shall be issued in such denominations, not exceeding one thousand dollars each, as the said city council may determine, and shall be payable in twenty years, and redeemable in ten years from their date. All of said bonds shall bear such rate of interest not exceeding six per cent. per annum, payable annually or semi-annually, as the city council may determine.

and said bonds shall in all respects be made and disposed of as provided by law.

SECTION 2. The city council of said city of Columbus shall levy annually on all the property in said city a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to provide a sinking fund to pay said bonds at maturity; and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 2 (3?). This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 615].

AN ACT

To authorize the council of the incorporated village of Camden, Preble county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Camden, Preble county, Ohio, be and the same is hereby authorized and empowered to transfer ten hundred and fifty-eight dollars and eighty cents ($1,058.80) from the sewer fund to the general fund, and sixty-one dollars and eleven cents ($61.11) from the prison fund to the general fund of said village.

SECTION 2. This act shall take effect on its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 577].

AN ACT

For the relief of Caius B. Hanford.

WHEREAS, Caius B. Hanford did, on the 3rd day of February, 1877, at a sale of school lands in Lucas county, Ohio, purchase lot number eight (8) of the sub-division of section number sixteen (16), in town one (1), of the United States Reserve of twelve (12) miles square at the foot of the rapids of the Miami of Lake Erie, containing twenty-five and sixty-six hundredths (25 66-100) acres, for

the sum of one thousand and twenty-six and forty hundredths ($1,026.40) dollars on which he paid at the date of said sale the sum of three hundred and fifty-five and forty-seven hundredths ($355.47) dollars, and he has since paid the sum of two hundred and one and fifty hundredths ($201.50) dollars to apply on the interest of the balance of purchase money unpaid; and,

WHEREAS, he has made valuable improvements upon said land, but is now unable to pay the balance of said purchase money with the interest thereon; therefore:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a further period of five (5) years from the passage of this act, be, and the same is hereby given to the said Caius B. Hanford, the purchaser of said lot number eight (8) in section sixteen (16), town one (1) of the United States reserve of twelve (12) miles square at the foot of the rapids of the Miami of Lake Erie, for the payment of the balance of principal and interest upon such sum now due from said Hanford on account of the purchase money of said land; provided, that he pay annually hereafter not less than one hundred dollars ($100.00) to apply on said interest and principal so due, and all taxes upon said land as they shall become due and payable.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 340].

AN ACT

To authorize the board of education of the city of Canton, Ohio, to issue bonds for the purpose of erecting and furnishing school buildings, and to levy a tax for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Canton, county of Stark, be and it is hereby authorized to borrow the sum of $45,000.00, to be applied to the payment of the expense to be incurred in the erection and furnishing of school buildings in said city, and purchasing sites therefor.

SECTION 2. That for the purpose of meeting the expense aforesaid, the said board is authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in denominations of not less than $100.00 and not more than $1,000.00, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding six years from the respective dates thereof, as said board may determine, which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission; and that said bonds may, in the discretion

of said board, have interest coupons attached, and said bonds and interest coupons shall be made payable at the city of Canton.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said board of education is hereby authorized and empowered to levy on all the taxable property of the said school district, a tax for such an amount annually not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said school district.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 692].

AN ACT

To authorize the council of the city of Kenton, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Kenton, Ohio, be and it is hereby authorized and empowered to transfer the sum of seven hundred and fifty dollars from the general fund of said city to the fire department fund thereof, and the sum of twelve hundred dollars from the general fund of said city to the water-works sinking fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 677].

AN ACT

To divide the village of Ashland and the village school district of Ashland, county of Ashland, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Ashland, county of Ashland, and state of Ohio, and the village school district of Ashland, county of Ashland, and state of

Ohio, be and the same are hereby divided into two election precincts, as follows: that the said village of Ashland shall be divided by a line commencing at the west boundary line thereof, in the center of Main street; thence east along the center of said main street to the east boundary line thereof. The territory lying north of said line shall be called precinct number one, and the territory lying south of said line shall be called precinct number two. That the village school district of Ashland, [Ashland] county, and state of Ohio, shall be divided into two election precincts, as follows: commencing at the west boundary line of said Ashland village school district, in the center of Main street; thence extending east along the center of said Main street to the east boundary line of said district. The territory lying north of said line shall be called precinct number one, and the territory lying south of said line shall be called precinct number two.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 492].

AN ACT

To authorize the commissioners of Shelby county, Ohio, to make additional assessments to provide for the unpaid balance due on the construction of the Dingman pike.

WHEREAS, By reason of the fact that there was extended litigation concerning what is known as the Dingman pike in Shelby county, Ohio, the cost of constructing the same was largely increased, and the levies then authorized by law, proved insufficient to pay for said work; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of said county are hereby authorized at their regular June session in 1888, to make and order an additional assessment on the lands and town lots heretofore assessed, for the construction of such pike, sufficient to meet such deficiency, and the expenses of levying and collecting the same.

SECTION 2. Upon making such additional assessment by said commissioners, the county auditor of said county shall place the same on a special duplicate, to be provided by him, at the expense of the county, charging thereon each tract of land and town lot referred to in section one of this act, with its portion of the amount of such additional assessment, in the same manner, and in the same proportion as the former assessment was charged on such tract of land or town lot, and deliver to the county treasurer of said county, a copy of such special duplicate at the time of delivering the general tax duplicate for the year 1888, and the treasurer shall collect and pay over the said assessments or taxes on such special

duplicate in the same manner as the former assessments on such lands or town lots were required to be collected and paid over.

SECTION 3. The auditor shall receive the same fees now allowed by law for similar services, and the treasurer shall be paid the sum of twenty-five dollars for extra services required by this act.

SECTION 4. This act shall be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 606].

AN ACT

To authorize the council of the city of Middletown, Butler county, Ohio, to issue bonds of the corporation for sewerage and street improvement in the city of Middletown.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated city of Middletown, Butler county, Ohio, be and the same is hereby authorized to issue the bonds of the corporation of the city of Middletown, not exceeding twenty-five thousand dollars ($25,000), as hereinafter provided, for the purpose of raising money to be used and applied in constructing and completing a system of sewerage for necessary drainage and sanitary protection, and the improvement of the streets and highways within the corporate limits of the city of Middletown.

SECTION 2. Said bonds to be issued by council under this act, shall bear five per cent interest, payable semi-annually from the date of issue, and shall be signed by the mayor of the city of Middletown, and sealed with the official seal of such officer, and also be attested by the signature of the city clerk, and shall have interest coupons attached, and to be made payable at such place as the council by ordinance may direct. The bonds authorized by this act shall not exceed twenty-five in number, and each bond shall be for the sum and amount of one thousand dollars ($1,000), and shall be numbered consecutively from No. one to No. twenty-five, and the bonds shall become due and payable by the city council of the corporation of Middletown in yearly payments of one of said bonds per year of one thousand dollars ($1,000), and the interest thereon.

SECTION 3. That for the purpose of paying the bonds issued under the provisions of said act, and the interest thereon, as the same shall become due, the said council of Middletown are hereby authorized and empowered to levy and assess a tax upon all the taxable property within the corporate limits of the city of Middletown, of not to exceed one mill on the dollar in addition to the amount now allowed by law, and to be collected yearly as other taxes, for and during the period said bonds may run, to pay interest and redeem said bonds issued in pursuance of this act, that will fall due yearly during each year until all of said twenty-

five bonds and the interest shall be fully paid; and the money so raised by taxation shall not be used for any purpose other than for the payment of said bonds and interest, and the improvement of streets and highways; and the bonds issued under this act shall be known and denominated "The sewer and street improvement bonds of the city of Middletown."

SECTION 4. The act to authorize the council of the city of Middletown to issue twenty-five thousand dollars in bonds to be known as "The sewer and street improvement bonds of the city of Middletown," before the same shall become a law, the act shall first be submitted to a vote of the qualified electors of the city of Middletown. And if said act be ratified and affirmed by a majority of all the votes for or against said act at any general election held within the corporate limits of the city of Middletown, or by a special election to be called by council to vote upon said act, and the proposition therein, and if the act be ratified as aforesaid, the same shall take effect, and be in full force when ratified by a majority vote of the electors aforesaid.

SECTION 5. This act shall take effect and be in full force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 535].

AN ACT

To authorize the board of trustees of the Cincinnati hospital to repair and improve said hospital, and to provide a fund therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of the Cincinnati hospital be and they are hereby empowered to expend in improving and repairing said hospital, under the provisions of this act, and in paying off any indebtedness or deficit incurred in the maintenance of said hospital, a sum not to exceed the amount received from the levy hereinafter provided for.

SECTION 2. That for the purpose of providing a fund with which to improve and repair the Cincinnati hospital and to pay said indebtedness or deficit, the board of trustees thereof are hereby authorized and empowered to certify to the auditor of Hamilton county, on or before the first Monday of June, in the years 1888 and 1889, a tax levy not to exceed sixteen-hundredths (16-100) of a mill on the dollar valuation upon the grand duplicate of all taxable property in the city of Cincinnati, for each of the years 1888 and 1889, and said auditor shall place the same on the tax duplicate of said county in each of said years, and collect the same as other taxes, the receipts whereof when collected shall be paid into the city treasury as a special fund for the payment of the expenses incurred under the provisions of this act; and the city treasurer shall disburse the same upon the warrant of the city comptroller, upon the order of the

board of trustees of said hospital, signed by the president and countersigned by the secretary of said board.

SECTION 3. In anticipation of the receipts from the proceeds of said levy the said trustees are authorized to enter into contracts for the improvements and repairs contemplated by this act before the proceeds of said levy shall be in the city treasury, and for the validity of such contracts the certificate of the comptroller shall not be necessary; provided, however, that such contracts shall not exceed in amount the proceeds derived from said levy.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 604].

AN ACT

To authorize the commissioners of Muskingum county to appropriate funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to appropriate out of any money in the treasury of said county to the credit of the general fund a sum not exceeding eight thousand ($8,000.00) dollars, to enable said Muskingum county to make an exhibition of its industries and resources at the Ohio Centennial to be held at Columbus, Ohio, in the year 1888.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 580].

AN ACT

To amend section two of an act entitled "an act to provide for the construction of free turnpikes in Ottawa county, Ohio," passed February 8, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two of the act passed February 8, 1883, entitled "an act to provide for the construction of free turnpikes in Ottawa county, Ohio" (O. L. 80, page 240), be so amended as to read as follows:

SEC. 2 The said trustees are also authorized, when petitioned, as provided in section one of this act, to levy a tax, not to exceed in any one year five (5) mills on the dollar valuation of the taxable property of said township, for the purpose of grading, turnpiking or otherwise improving the highways or any portion of the same in said township, and the tax so levied may, upon the order of the trustees of such township, be discharged by labor under the direction of the supervisor of the district, and general supervision of the trustees of the township, as to time, rate per day, and place for such labor; and the supervisors shall give each person so performing labor, a certificate, specifying the amount of tax so paid, and the township and district wherein such labor was performed, which certificate shall in no case, be given for a greater sum than the tax charged against such person, and the county treasurer shall receive all such certificates as money in the discharge of said road tax; provided, however, that the levy herein authorized shall not be made upon any property which is being assessed under any of the provisions of chapter 7 and 8, Title VII., part second of the Revised Statutes of Ohio."

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 558].

AN ACT

To authorize the village of Niles, Trumbull county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the village of Niles, Ohio, be and the same is hereby authorized to permanently transfer a surplus of three thousand, five hundred, thirty-two dollars and sixty-eight cents ($3,532.68) from the following funds, to-wit: five hundred and forty-five dollars and twelve cents ($545.12) from the bridge fund, two hundred and eighty-seven dollars and fifty-six cents ($287.56) from the real estate fund, twelve hundred dollars ($1,200.00) from the police fund, and fifteen hundred dollars ($1,500.00 from the general fund, into the following funds, to-wit: eight hundred dollars ($800.00) into the street fund, fifteen hundred dollars ($1,500.00) into the fire fund, and twelve hundred and thirty-two dollars and sixty-eight cents into the debt fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 665].

AN ACT

To authorize the board of education of the special school district of the incorporated village of Deshler, Henry county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of the incorporated village of Deshler, Henry county, Ohio, be and is hereby authorized to borrow any sum of money, not exceeding three thousand dollars, for the purpose of building an addition to the school house in said special school district.

SECTION 2. For the purpose aforesaid the said board is hereby authorized to issue bonds, not exceeding three thousand dollars in amount, to be signed by the president and attested by the clerk of said board, in sums of not more than five hundred dollars and not less than one hundred dollars, bearing interest at a rate not to exceed six per cent. per annum, payable annually or semi-annually, as the board may direct, at the office of the treasurer of said board; said bonds to be payable at such time or times, not exceeding twelve years from the date thereof, as said board may determine; said bonds shall be sold for not less than their par value, and said bonds may, at the discretion of the board, have coupons attached.

SECTION 3. Said board of education shall, annually, after the sale of said bonds, cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for the levying and collection of taxes for school and school-house purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 255.]

AN ACT

To authorize the commissioners of Hamilton county to provide for the completion of a bridge across the Miami canal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and they are hereby authorized to levy on all the taxable property in said county, in addition to the taxes now by the law authorized to be levied thereon, a tax of seventeen and one-half one-hundredths (17½-100) of a mill on the dollar valuation on the grand duplicate, of all the taxable property in said county, for the year 1888, and to certify the same to the auditor of the county on or before the first Monday in June, 1888, said tax to be used in com-

pleting a bridge across the Miami canal in the city of Cincinnati, on Browne street.

SECTION 2. The money arising from said tax shall be expended by and under the direction of the board of public affairs of said city, and immediately upon the passage of this act the board of public affairs shall proceed to prepare plans and specifications and erect said bridge, and for that purpose they are hereby authorized and directed to make any and all contracts and take all steps necessary to secure the completion of the same, and so far as may be necessary for that purpose they are authorized and directed to anticipate the revenues to be derived from the levy to be made as aforesaid.

SECTION 3. Upon the collection of the tax hereby authorized the said county commissioners are hereby authorized and directed to cause the same to be paid over to said board of public affairs, to be by them expended for the purpose aforesaid, or in the payment of the debt created for that purpose, and for no other purpose whatever, nor shall any part of said money be transferred to any other fund or be diverted from the object expressed herein.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 30, 1888.

[House Bill No. 705].

AN ACT

To authorize the city of Tiffin, Seneca county, Ohio, to issue its bonds for the purpose of making certain improvements therein named, and authorizing the sale or lease of certain park lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Tiffin, in Seneca county, Ohio, be and hereby is authorized to issue the bonds of said city in any sum not exceeding fifty thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and to be designated as "Improvement bonds;" and shall be signed by the mayor, and countersigned by the city clerk of said city, and not sold for less than their par value, the principal to be payable at such times as the city council may determine by ordinance, but within a period not to exceed ten years; and the city council is hereby authorized to levy a tax upon all the taxable property in said city, to pay such bonds, and not less than the annual interest and one-tenth of the principal each year.

SECTION 2. Said bonds are authorized to be issued, and the funds arising from the sale thereof shall be used, for the following purposes, in such proportion as said council may see fit, to-wit: For adding to and improv-

ing the public park lands, and lighting the same, and provide fuel for any buildings that may be constructed thereon, in such manner and by such means as the city council may see fit, for improving the streets around and leading to the park lands, for repairing the walls along the banks, and cleaning out the bed of, and constructing a dam across the Sandusky river, and for such other purposes as the city council may see fit, and deem proper or expedient.

SECTION 3. The city council of said city is hereby authorized to sell at public or private sale, for such price, and on such terms as they may see fit, and duly convey to purchasers, so much of the present park lands as they may by ordinance determine to sell, and may lease for such time and upon such terms, as said council shall by ordinance determine, so much of the present park lands, as they see fit.

SECTION 4. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 230.]

AN ACT

To authorize the village of Clifton, Hamilton county, to borrow money to extend the sewerage system, and to repair and re-construct roadways and foot-walks in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Clifton, in the county of Hamilton, be and hereby is authorized to borrow money, not exceeding one hundred thousand dollars, for the purpose of extending the sewerage system, and for repairing and reconstructing roadways and foot-walks in said village; and the council of said village is hereby empowered to issue bonds of the village for the money so borrowed, said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annua'ly, and said bonds shall be of such denominations, and shall mature at such times as the council may determine; provided, said bonds shall not be sold for less than their par value.

SECTION 2. The said bonds shall not be issued by said council until the question shall have been first submitted to a vote of the qualified electors of said village at a general election, or a special election, of which not less than ten days' notice shall be given by publication in some newspaper of general circulation in said village; and at said election all those desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words: "Issue of bonds for sewerage and repairs and reconstruction of roadways and foot-walks—Yes;" and all voters desiring to vote against said issue of bonds shall have written or printed on their ballots the words: "Issue of bonds for sewerage and repairs and reconstruction of roadways and foot-walks—No;" and if a majority of said votes cast at such election be in favor of the issue of such bonds, then

said council may proceed as authorized in section one (1) of this act, and not otherwise.

SECTION 3. Providing the authority to issue said bonds is ratified by the electors of said village, as provided for in section two (2) of this act, said council is hereby empowered to levy such amount of tax upon the taxable property of said village, in addition to other taxes authorized by law, as may be necessary to pay the interest and principal of such bonds when the same become due; said tax to be levied and collected in the manner as taxes for general purposes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 282].

AN ACT

To authorize the commissioners of Licking county to appropriate money to aid the centennial society of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Licking county are hereby authorized to appropriate, from the surplus dog tax fund, a sum of money, not exceeding two thousand dollars ($2,000), to aid the Licking county centennial society in perfecting the exhibit of Licking county at the Ohio centennial, to be held in the year 1888, at Columbus, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 198].

AN ACT

To provide for county jail and sheriff's residence in Licking county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Licking county are hereby authorized and empowered to purchase or condemn suitable grounds, and erect thereon a proper jail and sheriff's residence for the use of said coun-

ty, and to furnish and finish the same as may be required, including warming, ventilation, lighting, plumbing, sewerage, drainage, fixtures, machinery and apparatus necessary thereto, and necessary to be connected therewith.

SECTION 2. To provide money to carry out the provisions of section 1, the board of commissioners of said county of Licking are authorized to issue and sell the bonds of the county, in such denominations as they may deem best, in any sum not exceeding fifty thousand ($50,000) dollars; such bonds to be sold at not less than their par value, and to draw interest at not to exceed six per cent. per annum, said interest payable at the office of the county treasurer in Newark, Ohio, semi-annually.

SECTION 3. The principal of said bonds shall be payable at the office of the county treasurer in Newark, Ohio, at such times, not exceeding twenty years, as the commissioners of said county may determine.

SECTION 4. To pay the principal and interest of such bonds, as may be issued under authority of the preceding section, and to pay for the improvements authorized by this act, said board of county commissioners are authorized to levy a special tax upon the real and personal property of such county, at a rate not exceeding three-tenths (3-10) of one mill on the dollar in any one year.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 286].

AN ACT

To authorize the trustees of Steubenville township, Jefferson county, Ohio, to levy an additional tax for the support of the poor in said township, and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Steubenville, Jefferson county, be and they are hereby authorized to levy upon the taxable property of said township (in addition to the tax now authorized by law,) in the year 1888, and for four succeeding years thereafter, two-tenths of one mill for poor purposes; and upon the taxable property of said township, outside of the city of Steubenville, in addition to the taxes now authorized by law, six-tenths of one mill for road purposes; the same to be entered upon the duplicate, to be collected and disbursed in the same manner as other taxes.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 290].

AN ACT

To authorize the commissioners of Ross county, Ohio, to issue bonds and levy additional taxes to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Ross county, Ohio, be and the same are hereby authorized to issue the bonds of said county not to exceed the amount of ten thousand dollars, to pay existing indebtedness of said county, and for general county fund purposes; said bonds shall be issued at such time and in such sums as said commissioners may think proper, and shall be made payable at any time within five years from date of issue; said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be paid semi-annually, and when so issued shall not be sold for less than par value.

SECTION 2. The commissioners of said county are hereby authorized to levy a tax in addition to that authorized by law, on all taxable property of said county, sufficient to pay said bonds and interest as they mature.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 22].

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for grading, macadamizing, graveling and improving the county road in Mill Creek and Springfield townships, known and designated on the county plat as the North Bend road in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Hamilton county may assess and collect upon the grand levy of the taxable property of said county, a tax not exceeding one-twelfth (1-12) of a mill on the dollar, one half of which shall be assessed in the year eighteen hundred and eighty-eight (1888), and one half of which shall be assessed in the year 1889, to be applied to the grading, macdamizing, graveling and improving the county road in Mill Creek and Springfield townships, known as the North Bend road, beginning at its intersection with the Cincinnati and Hamilton turnpike; thence south-westerly to its intersection with the Colerain and Oxford turnpike, a distance of one and one-half ($1\frac{1}{2}$) miles, more or less. Said amount thus raised by said levy shall be expended upon said North Bend road by and under the direction of the said county commissioners, and any unexpended surplus from said tax shall be appropriated by said commissioners to the repair and maintenance of said improved road.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[House Bill No. 697].

AN ACT

To amend section one of an act entitled an act "to authorize the commissioners of Morgan county, Ohio, to build a bridge across the Muskingum river," passed February 22, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the above recited act be so amended as to read as follows:

SEC. 1. That the county commissioners of Morgan county, Ohio, be and are hereby authorized when, in their judgment, the public interests will be subserved thereby, to build a bridge across the Muskingum river at Stockport, Windsor township, Ohio, at a cost not to exceed thirty-five thousand dollars ($35,000); all contracts for erecting the same shall be let according to law; provided, however, before the commissioners shall build said bridge they must obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 2. That section 1 of the above recited act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[Senate Bill No. 292].

AN ACT

To authorize the county commissioners of Adams county, Ohio, to purchase a certain turnpike therein described, and to maintain the same as a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Adams county be and they are hereby authorized to purchase, at a fair valuation, the Manchester and Winches-

ter turnpike company road, leading from Manchester to Bentonville, and now owned by Michael O'Neill.

SECTION 2. Said county commissioners are hereby authorized to issue bonds not exceeding five thousand dollars, for the purchase of said road; said bonds to bear interest at the rate of not exceeding six per cent. per annum, payable semi-annually, and shall be sold according to law, at not less than par.

SECTION 3. For the purpose of paying said bonds said commissioners are hereby authorized to levy a tax, not exceeding two-tenths of one mill on the dollar annually, on all the taxable property in said county of Adams.

SECTION 4. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 3, 1888.

[House Bill No. 669].

AN ACT

To authorize the council of the incorporated village of Clarksville, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Clarksville, Clinton county, Ohio, be and is hereby authorized and empowered to transfer the sum of two hundred and fifty ($250.00) dollars from the police fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No. 699].

AN ACT

To authorize the commissioners of Muskingum county, Ohio, to build a bridge across the Muskingum river, and to repeal an act passed February 10th, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to build a double track bridge across the Muskingum river from the north end of Underwood street, in the

city of Zanesville, in said county, to a point in Falls township on the opposite side of said river, at a cost not exceeding thirty-five thousand ($35,000) dollars; all contracts for erecting the same shall be let according to law; provided, however, before said commissioners shall build said bridge they must obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 2. For the purpose of paying for the construction of the same, the commissioners are hereby authorized to issue bonds of the county at a rate of interest not exceeding six per centum per annum, interest payable semi-annually; said bonds to be paid within ten years from the date thereof, at the discretion of the commissioners, and the same shall be issued, signed and sold according to law.

SECTION 3. For the purpose of paying the bonds and the interest thereon, as the same become due and payable, the commissioners are hereby required to levy annually on all taxable property within the county a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. That an act entitled "an act to authorize the commissioners of Muskingum county, O., to build a bridge across the Muskingum river," passed February 10, 1888, is hereby repealed, and this act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[Senate Bill No. 287.]

AN ACT

To authorize the commissioners of Gallia county, Ohio, to pay Harriett Hampton fifteen hundred dollars, amount paid upon a forfeited bond of W. G. Hampton.

WHEREAS, At the February term, 1885, of the Gallia county court of common pleas, one W. G. Hampton was, by the verdict of a petit jury, convicted of the crime of burglary; and,

WHEREAS, A motion in arrest of judgment was made, for the purpose of taking said case to the supreme court, and a bond given for the appearance of said Hampton in court and abide all further orders of the same; and,

WHEREAS, Harriett Hampton, mother of said W. G. Hampton, to secure said bondsmen on said bond, to-wit: John B. Clendennin and John Hampton, made a deed of her home property, situate in the city of Gallipolis, Ohio, to said John B. Clendennin and John Hampton, taking from them a contract to deed the same back to her in the event they were held harmless on said bond: and,

WHEREAS, Through the ill-advice of alleged friends, said W. G. Hampton fled the country, and did not appear in court as he was bound to by

the terms of said bond, and the same thereby became and was duly forfeited; and,

WHEREAS, The said bondsmen were compelled to, and did, pay over to the commissioners of said Gallia county, the sum of fifteen hundred dollars upon said forfeited bond, on the day of , 188 , and were duly reimbursed by said Harriett Hampton, by her payment to them of said sum of fifteen hundred dollars; and

WHEREAS, The said W. G. Hampton, on or about the day of , 1886, voluntarily returned to his home and was duly sentenced by the court of common pleas of said Gallia county, at the May term, 1886, to imprisonment in the Ohio penitentiary, for the period of one year; and

WHEREAS, On the recommendation of the judge and the jury at the trial of said case, and the other judges of the sub-division, Governor Hoadly, after a careful examination of the evidence at the trial, of said W. G. Hampton, and other evidence submitted to him, which made it conclusive to his mind, that said Hampton was entirely innocent of the crime of which he had been convicted and sentenced, unconditionally pardoned him; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of Gallia county, Ohio, be and they are hereby authorized to direct the payment of the sum of fifteen hundred dollars out of the county fund, to Harriett Hampton, mother of said W. G. Hampton; and to order the auditor of said county to draw his warrant in favor of Harriett Hampton on the treasurer of said county, for the payment of said sum.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 4, 1888.

[House Bill No 622.]

AN ACT

To authorize the commissioners of Hancock county, Ohio, to issue bonds for the purpose of building and constructing a bridge across Blanchard river, on Main street, in the city of Findlay, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hancock county, Ohio, be and they hereby are authorized and empowered to build and construct a bridge across the Blanchard river, on Main street, in the city of Findlay, in said county, and to issue bonds for the purpose of building and constructing such bridge, in sums not to exceed in the aggregate thereof, thirty-five thousand dollars ($35,000). Said bonds shall be issued in such denominations as the county board of commissioners of said county shall determine, and shall bear interest not to exceed six per cent., payable semi-annually, at such time and place as said commissioners may determine. The time of payment of such bonds shall not exceed ten years, from

March 1, 1889, and the said commissioners are hereby authorized to provide for the payment thereof, and pay not less than thirty-five hundred dollars ($3,500) thereof each and every year, commencing therefor March 1, 1889, in such sums as they may determine. And said commissioners are further authorized and empowered to levy a tax on all the taxable property on the tax duplicate of said county, to pay said accruing interest and said bonds as they respectively mature, and to continue such levy so long as the same may be necessary for that purpose. And said commissioners are further authorized and empowered to advertise and sell said bonds according to law, for the purpose of raising money to build and construct said bridge.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 5, 1888.

[Senate Bill No. 260].

AN ACT

To repeal an act incorporating the town of Richmond, in Ross county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "an act to incorporate the town of Richmond, in Ross county," passed March 23, 1850 (O. L., vol. 48, pp. 420 and 421), be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 707].

AN ACT

To authorize the village council of the village of Peninsula, in the county of Summit, to aid in the construction of a building for grand army post, and town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Peninsula, in the county of Summit, and state of Ohio, be and they are hereby authorized to expend not ex-

ceeding the sum of five hundred dollars, to be paid out of the general fund of said village, for the purpose of constructing and furnishing a building and hall for Waterman Post, No. 272, grand army republic, and for the citizens of said village for the purposes of a town hall; provided, further, that whenever said post abandons the use of said building, the same shall revert to and become the property of said village.

SECTION 2. This act to be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 720].

AN ACT

To authorize the trustees of Greenville township, Darke county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Greenville township, Darke county, Ohio, be and they are hereby authorized and empowered to make the following transfers of the funds of said township, viz.: from the cemetery fund to the poor fund, three thousand ($3,000.00) dollars; from the bridge fund to the gravel fund, one thousand ($1,000.00) dollars; from the bridge fund to the township fund, one thousand ($1,000.00) dollars; and from the bridge fund to the road fund, two thousand ($2,000.00) dollars.

SECTION 2. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 380].

AN ACT

Creating the office of secret service officer and prescribing his duties, in Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in the county of Hamilton, the judges of the court of common pleas shall, within twenty days after the passage of this act, appoint a secret service officer, who shall hold his office for the term of two years, and until his successor is appointed, whose duty it shall be, under the direction of the prosecuting attorney, to render secret service in the capac-

ity of detective, for the prosecuting attorney's office of the county, in all criminal cases and matters of a criminal nature.

SECTION 2. Said secret service officer, when so appointed, shall, in criminal cases, have the same power in making arrests and serving writs, under the direction of the prosecuting attorney, as are now or may be performed by the sheriff of the county in like cases. And said secret service officer, before entering upon the duties of his office, shall give bond with at least two sureties, in the sum of five thousand dollars ($5,000) for the faithful performance of his duties, and said sureties shall each take an oath that he is worth the amount of the bond above all liabilities, and such bond shall be approved as to form and sufficiency by the judges of the common pleas court and the prosecuting attorney of said county. His compensation shall be at the rate of fifteen hundred dollars a year, payable monthly, out of the county fund, upon the warrant of the county auditor.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President of the Senate.

Passed April 6, 1888.

[Senate Bill No. 246].

AN ACT

To enable the auditor of Hamilton county to complete the plats and tax duplicates of said county.

WHEREAS, By reason of the destruction of the plats, tax duplicates and records of the office of the auditor of Hamilton county, by the burning of the court house of said county, the plats, tax duplicates and records of said office are at the present time so incomplete and erroneous that it is impossible to fully and correctly locate and list the real estate of said county; and in view of the urgent necessity of having accurate plats and descriptions of the real estate of said county for the purpose of the decennial appraisement of real estate in 1890:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of Hamilton county shall proceed to complete and correct the plats of the real estate of said county, that he may be prepared to comply with the requirements necessary for the next decennial appraisement of real estate, and complete the tax duplicates thereon.

SECTION 2. To accomplish the object of the foregoing section, the auditor shall be furnished such number of assistants, to be selected by him, in addition to his regular employes, as may be requisite for the proper production and correction of the plats and tax duplicates, and when it becomes necessary to survey any tract or tracts of land in said county before plats thereof can be produced, such survey shall be made under the direction of the commissioners of said county. Before any plats or corrections of plats are made, the auditor shall advertise in two English and one German newspaper published in said county, twice a

week for two weeks, for bids to do such work, and submit said bids to the county commissioners, who shall award such work to the lowest competent bidder or bidders, or may reject all bids and direct such work to be done in such manner and at such prices as they may deem best for the public interest.

SECTION 3. To create a fund to defray expenses to be incurred by this act, and to be known as the "platting fund," the commissioners of said county are authorized to borrow the sum of not exceeding forty thousand dollars, and to secure the payment thereof the county commissioners shall issue the bonds of the county with coupons, payable semi-annually, at a rate of interest not exceeding five per cent., the principal payable in thirty years from date, and redeemable at the option of the county commissioners in twenty years from date. Said bonds shall be of denominations of five hundred ($500) dollars each, and are to be issued under the provisions of the act passed March 22, 1883 (80 O. L., 68), "an act providing for the sale of public bonds." Payments for the work required to be done under this act shall be made in the same manner as other bills against the county are paid. It is further provided that no part of this fund shall be used for any other purpose until the completion of said plats and tax duplicates, when the surplus, if any, shall be transferred to the county fund of said county.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 698].

AN ACT

To authorize the auditor of Morgan county to sell certain school lands in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of Morgan county be and he is hereby authorized to summon three disinterested freeholders of the said county, who, after being duly sworn, shall appraise at its value in money, the following lands and tenements, situate in Marion township, Morgan county, Ohio, to-wit: sub-division three (3), of section sixteen (16), town eight (8), range twelve (12), Ohio company's purchase, bounded as follows: beginning on the east line of said section at a stone forty-four (44) rods north of the south-east corner thereof; thence (by survey in 1866), north 2° 5′ east twenty-seven (27) rods; thence north 70° 5′ west sixty-five and 16-100 (65.16) rods; thence south 15° 30′ west sixteen and 48-100 (16.48) rods; thence south 14° east thirteen (13) rods; thence south 33° 45′ east fifteen and 16-100 (15.16) rods; thence south 37° west twenty-seven and 56-100 (27.56) rods; thence north 73° 15′ east thirty-nine (39) rods; thence

north 84° east thirty-two and 80-100 (32.80) rods to the place of beginning, and containing sixteen and 17-100 (16.17) acres, be the same more or less. After such appraisement has been made and returned to the auditor in writing, it shall be the duty of the auditor to advertise said lands for sale in some newspaper published and of general circulation in said county, giving notice of the time and place of such sale, for five consecutive weekly issues of such newspaper, and at the time and place in such notice specified; the said auditor shall sell the said lands to the highest and best bidder at not less than two-thirds of the appraised value thereof, and shall give to such purchaser a certificate of such sale and the consideration therefor, and that the purchaser has paid to the county treasurer the consideration therefor, and upon presentation of such certificate to the governor of Ohio, the governor shall execute a deed to such purchaser, conveying said lands in fee simple to such purchaser, and the proceeds of such sale, after deducting necessary expenses, shall be paid into the treasury of the state of Ohio, to the credit of said township eight, range twelve, the same as other proceeds of the sale of section sixteen (16) in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 708].

AN ACT

To authorize and empower the incorporated village of Beverly, Washington county, Ohio, to borrow money and issue bonds therefor to construct such building or buildings, including a council chamber, engine house and village prison, as may be deemed necessary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Beverly, Washington county, Ohio, be and said council is hereby authorized and empowered to borrow money, issue the bonds of said village and sell the same, not exceeding $3,000, and to use the proceeds thereof in erecting such buildings, including council chamber, engine house and village prison, as may be deemed necessary.

SECTION 2. Said bonds shall be issued in such an amount, not exceeding $3,000, and in such sum or sums and payable at such time or times as said council shall determine. They shall bear interest at the rate, not exceeding six per centum per annum, payable semi-annually and shall not be sold for less than the par value thereof, and shall be authenticated by the seal thereof, and a complete record of the same shall be kept by the clerk.

SECTION 3. For the payment of said bonds and interest thereon, said

council shall levy a tax in addition to the amount otherwise authorized, every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due that year and the accruing interest.

SECTION 4. After the total amount of said bonds so to be issued in pursuance hereof shall have been first determined, the council shall advertise according to law for sealed bids for the sale of said bonds, as a whole or in lots, as said council may determine, and shall award the same to the highest and best bidder; provided, that said council may reserve the right to reject any or all bids, and in case of rejection may proceed to re-advertise and sell until a sale is effected as by this section provided.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 685]

AN ACT

To change the name of "Bridgeport special school district," in Franklin county, Ohio, to "Gahanna special school district."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of "Bridgeport special school district" in Franklin county, Ohio, be and the same is hereby changed to "Gahanna special school district."

SECTION 2. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 710].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike road: commencing at or near the residence of W. L. Croswell, running in a southern direction, the most

direct and practical route, through the land of W. L. Croswell, William Myers, N. H. Miller, J. S. Drake, to the village of Cedron, and said road shall not be less than thirty nor more than fifty feet wide.

SECTION 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met by a levy of two-tenths of one mill on the dollar, on the tax duplicate of the county.

SECTION 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of said road.

SECTION 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding two-tenths of one mill on the dollar annually, on any and all taxable property in said county in excess of the taxes now authorized by law.

SECTION 5. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications, and order said improvement, or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[Senate Bill No. 265].

AN ACT

To authorize the county commissioners of Brown county, Ohio, to issue the bonds of the county for the purpose of raising money to pay off and take up bonds issued heretofore on the Boyles Mill and Blanchester free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Brown county, Ohio, for the purpose of paying off the bonds, and the interest now due thereon, on the Boyles Mill and Blanchester free turnpike road, and now outstanding, be and they are hereby authorized to issue the bonds of the county, not exceeding in amount three thousand and five hundred dollars, in such sums as they may think proper, running not more than five years, to bear interest at a rate not exceeding six per cent. per annum, and payable semi-annually, and shall be sold according to law, at not less than their par value.

SECTION 2. For the purpose of paying the bonds hereinbefore authorized to be issued, said county commissioners are hereby authorized to

levy a tax, not to exceed one-half of one mill on the dollar annually, on all the taxable property in said county.

SECTION 3. This act to be in force and take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 590].

AN ACT

To authorize the council of the incorporated village of Edgerton, to transfer money from the police fund to the street and road fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Edgerton, Williams county, Ohio, be and is hereby authorized to transfer four hundred dollars from the police fund of said corporation to the street and road fund.

SECTION 2. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[Senate Bill No. 304]

AN ACT

To authorize the trustees of Franklin township, in Coshocton county, to build a township hall, to issue bonds and levy a tax for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Franklin township, Coshocton county, be and they are hereby authorized to build a township hall, on the site now owned and used for such purpose, situate in said township.

SECTION 2. Said township trustees are hereby authorized to issue bonds, not exceeding in amount the sum of one thousand dollars, for said purpose; said bonds shall be signed by a majority of the township trustees and the clerk of the township, and may be issued in denominations of not less than fifty dollars nor more than one hundred dollars; said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their

par value; said bonds shall be made payable not to exceed three years from the date of their issue.

SECTION 3. For the payment of the principal and interest of said bonds as the same shall become due, the said trustees are hereby authorized and required to levy a tax on all the taxable property of said township, in such assessments as will each year meet the principal and interest then falling due upon said bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 696].

AN ACT

To authorize the board of education of Ironton, Lawrence county, Ohio, to issue bonds for the purposes of erecting and furnishing a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the city of Ironton, Ohio, be, and the same is hereby authorized to issue bonds in any sum not exceeding ten thousand dollars, for the purpose of erecting and furnishing a school building in the city of Ironton, Ohio; said bonds to be of such denominations and payable at such times and place as said board of education may deem judicious, not exceeding twenty years, and said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than par value. And said board of education shall annually thereafter cause the necessary taxes to be levied to pay the interest and principal on said bonds as they shall become due, provided said board of education shall not exceed the limitations now authorized by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 728].

AN ACT

To provide room in monumental hall, in the city of Zanesville, for Hazlett Post, G. A. R.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Muskingum county, are hereby authorized to provide a room and appendages in the southwest part of the second story of the monumental hall building, in the city of Zanesville, in the county of Muskingum, rent free, as a place of deposit and safe keeping for the emblems and relics of the G. A. R. posts of said county. Said room and appendages not to exceed 38 feet in width and 71 feet in length, including appendages east and west; the same to be under the management and control of Hazlett post No. 81, and to be used as the place for the meetings of said post No. 81; and the said room and appendages to be so occupied and controlled so long as any G. A. R. post shall remain organized in said county, and so long as the same shall be used as a place of deposit for such emblems or relics.

SECTION 2. This act shall take effect upon its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON.
President of the Senate.

Passed April 6, 1888.

[Senate Bill No. 274].

AN ACT

Authorizing the board of commissioners of Adams county, to contract for the placing of omitted taxes upon the duplicate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners, of the county of Adams, be and they hereby are authorized in their discretion, to contract with a competent person, to hunt up, report to the county auditor, and have placed upon the tax duplicate of the said county, the taxes and taxable property therein that may have been or now is improperly or illegally withheld from said duplicate, or not listed according to law, and they may allow such person so employed, such compensation as may be agreed upon, to be paid out of the county treasury, upon the warrant of the auditor; but the compensation so paid shall not exceed twenty-five per cent. of the amount of taxes secured by such person to be listed or placed upon the duplicate.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[Senate Bill No. 170].

AN ACT

To authorize the village of Bowling Green, Ohio, to borrow money and issue bonds therefor, to fund the floating debt of said village and to procure funds for certain proposed streets therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Bowling Green, Ohio, be and said council is hereby authorized to borrow money not to exceed the sum of thirty thousand dollars for the purpose of paying the present floating indebtedness of said village, and to provide funds for the procuring of lands for, and the opening and widening of certain streets in said village, as established by ordinance of said village, and to issue the bonds of said village therefor in such denominations, and to mature at such time, not exceeding twenty years, as said council may determine; said bonds shall not be sold for less than their par value, and shall bear not to exceed six per cent. interest, payable semi-annually.

SECTION 2. At a special election to be held in the village of Bowling Green, Wood county, Ohio, of which at least ten days' notice shall be given by publication in some newspaper of general circulation in said village, there shall be submitted to the qualified voters of said village the question, "Shall bonds be issued therefor;" those of the qualified electors of said village voting at this election who favor the issuing of said bonds, shall have written or printed upon their ballots the words, "Shall bonds be issued—Yes;" and those opposed to the same the words, "Shall bonds be issued—No;" and if the majority of the ballots cast at said election shall have written or printed thereon the words, "Shall bonds be issued—Yes," then this act shall be in force, but not otherwise.

SECTION 3. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall not be sold for less than their par value; said bonds shall be issued in such amounts and at such times as the council of said village may deem necessary; the principal of each bond shall be payable at such time as the council of said village shall determine by ordinance, but within a period not exceeding twenty years.

SECTION 4. For [the] purpose of raising the money to pay said bonds and the interests thereof, the council of said village is hereby authorized to levy a tax sufficient to meet the same, in addition to the taxes now authorized by law to be levied.

SECTION 5. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 726].

AN ACT

To authorize the commissioners of Clermont county, Ohio, to transfer certain funds and to apportion to funds a certain deficit.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Clermont county, Ohio, be and they are hereby authorized and empowered to make the following transfers of the funds in the treasury of said county, viz: From the building fund to the county fund any sum not exceeding eighteen thousand dollars ($18,000.00); from the bridge fund to the county fund any sum not exceeding seventeen thousand dollars ($17,000.00); from the "repairs to free pike" fund to the county fund any sum not exceeding four thousand dollars ($4,000.00); from the dog fund to the county fund any sum not exceeding two thousand dollars ($2,000.00); from the ditch fund to the county fund twenty-eight dollars ($28.00); from the Goshen and Columbus pike fund to the county fund one hundred and nine dollars and ninety-four cents ($109.94); from the Mt. Carmel and Nine Mile pike fund to the county fund eight hundred and ninety-five dollars and thirty-four cents ($895.34); also from the county fund to Felicity and Chilo pike fund fifty and ninety-seven hundredths dollars ($50.97), to Felicity and Bethel pike fund nineteen hundred and seventy dollars and eighty-seven cents ($1,970.87), to Felicity and Moscow pike fund fourteen hundred and four dollars and seven cents ($1404.07), to Felicity and Utopia pike fund nine hundred and fifty-one dollars and six cents ($951.06), to Tindale and Neville pike fund thirteen hundred and twenty-one dollars and seventy cents ($1,321.70), to Felicity and Laurel pike fund thirty-three hundred and ninety-two dollars and thirty-four cents ($3,392.34), to Newtonville and Brownville pike fund sixteen hundred and seventy-nine dollars and forty-two cents ($1,679.42), to Neville and Boat Run pike fund, eighteen hundred and ninety dollars and sixty-six cents ($1,890.66), to Point Isabel and Moscow pike fund, eight hundred and forty-two dollars and thirty-two cents ($842.32), to Edenton pike fund one hundred and four dollars and three cents ($104.03); provided, that under the provisions of this section the board of county commissioners shall not have power to act after April 1st, 1889.

SECTION 2. The board of county commissioners are further authorized and empowered to apportion as they may deem proper, to the several funds of said county the amount of the deficit created during the term of office of A. N. Robinson, as treasurer of said county, and therefore, the auditor of said county shall cause the same to be entered upon the books of his office, so as to charge each fund with the loss apportioned to it, and the treasurer of said county, at his first settlement thereafter, shall be credited with the amount so apportioned.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 6, 1888.

[House Bill No. 666].

AN ACT

To authorize the transfer of funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the treasurer of the village of Caledonia, Marion county, Ohio, be and is hereby authorized to transfer $200 from the general purpose fund of said viilage, and $200 from the marshal and police fund to the fire fund of said village.

SECTION 2. This act shall be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 9, 1888.

[House Bill No. 144].

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to levy a tax for grading, macadamizing and improving the county road in Columbia township, known and designated on the county plat as the Lester road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized to assess and collect upon the grand levy of the taxable property of said county a tax of one-twenty-fifth of one mill on the dollar, one-half of which shall be assessed and collected on the tax duplicate of 1888, and the remainder on the tax duplicate of 1889, [to] be applied to the grading, macadamizing and improving the county road in Columbia township, as surveyed and established by the commissioners of Hamilton county, commencing on the easterly side of Montgomery turnpike at a point where the north line of section 29 intersects said turnpike; thence running southwardly to the Duck Creek road, and known and designated on the plat-books, of said county as the Lester road; provided, that the amount thus to be expended shall not exceed the sum of eight thousand dollars ($8.0 0.00), and any balance remaining to the credit of the fund raised under the provisions of this act after the completion of said improvement, shall be reserved by said commissioners for the benefit of said road.

SECTION 2. That for the purpose of raising money to defray the expenses of grading, macadamizing and improving said road, the said commissioners are hereby authorized and directed to issue bonds of said Hamilton county, at not less than par value, in sums not less than five hundred dollars ($500.00) each, bearing interest at a rate not to exceed five per centum per annum, payable semi-annually, not to exceed in the aggregate the sum to be assessed and collected, as indicated in section one

of this act. Said bonds to be negotiable and payable within ten (10) years from the date of issue.

SECTION 3. That said bonds shall be signed by the county commissioners and countersigned by the auditor of Hamilton county, who shall keep a record of all bonds [issued] under and by virtue of this act, to whom issued and made payable, and when redeemable.

SECTION 4. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 553].

AN ACT

To authorize the village of West Carrollton, Montgomery county, Ohio, to issue bonds for the purpose of paying off existing indebtedness, and constructing drains and sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of West Carrollton, Montgomery county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding two thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, for the purpose of providing funds for paying off existing indebtedness, and for constructing drains and sewers.

SECTION 2. Said bonds shall be payable at such times, not exceeding fifteen years from the respective dates thereof, as said council may determine; they shall be in denominations of not less than fifty dollars and not more than one hundred dollars, as said council may direct, and shall be issued and sold according to law.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village, not exceeding three mills on the dollar, in any one year, in addition to the taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county, and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 662.]

AN ACT

To create a sub-school district in Berne township, Fairfield county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory hereinafter described be and the same is hereby created and declared to constitute a sub-school district in Berne township, Fairfield county, Ohio, to-wit:

Beginning at the corporation line of the city of Lancaster, Ohio, thence east one mile, following corporation line of city of Lancaster, to Columbus, Hocking Valley and Toledo railway to south boundary of section No. seventeen, thence three-fourths of a mile west to south-west corner of section No. seventeen, thence south one-fourth of a mile on line of section No. nineteen, thence west one-half mile, thence south one-fourth of a mile to center of section No. nineteen, thence west one-half mile to township line, thence north two and one-fourth miles to place of beginning.

SECTION 2. Such sub-school district shall be governed and controlled in all respects by such laws as now are or may hereafter be in force relating to sub-school districts and shall be under the control and subject to the board of education of such Berne township; provided, there shall be elected in the aforesaid sub-school district, on the second Monday of April next, three local directors, one to serve for one year, one for two years and one for three years, in the same manner as is provided by law.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 664].

AN ACT

To authorize the commissioners of Greene county, Ohio, to issue bonds for purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Greene county, Ohio, are hereby authorized and empowered to borrow on behalf of said county, a sum of money not exceeding fifteen thousand dollars, for the purpose of erecting and furnishing a suitable building for the better protection, care and treatment of the insane and imbecile paupers of said county.

SECTION 2. For the purpose of paying the amount mentioned in the first section of this act, said commissioners are authorized to issue the bonds of said county for said amount, in such denominations, and payable at such time, not exceeding ten years, as said commissioners may determine. Said bonds shall bear interest not exceeding six per cent. per

annum, and shall not be sold for less than par, and shall be signed by the commissioners and countersigned by the auditor of said county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued, where made payable, and when redeemable.

SECTION 3. For the purpose of paying said bonds, as the same shall mature, said county commissioners are hereby authorized to levy a tax in addition to the taxes now authorized by law, upon all the property of the grand duplicate of said county.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 619].

AN ACT

To authorize the clerk of Delaware township, Defiance county, Ohio, to make an entry to settle on his books a certain deficiency of about five hundred ($500.00) dollars supposed to have occurred in about 1875.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the clerk of Delaware township, Defiance county, Ohio, is hereby authorized to make the necessary entry on his books to settle up a certain deficiency of about five hundred ($500.00) dollars, which has existed since the term of Wm. Taylor as treasurer of said township.

SECTION 2. Before the clerk of said township shall be empowered to settle the deficiency as provided for in section one (1) of this act, the question shall be submitted to the qualified electors of said Delaware township at a general or special election, due notice of which shall be given for three weeks by the posting of not less than five written or printed notices in public places in said township. At the said election those voting in the affirmative shall have endorsed on their ballots the words, "For settlement of deficiency—Yes;" those voting in the negative shall have endorsed on their ballots the words, "For settlement of deficiency—No." If at the said election the majority of the electors voting on this question vote in the affirmative, then, and only then, shall the clerk be authorized to make the entry settling the said deficiency.

SECTION 3. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 479].

AN ACT

For the relief of C. D. Gardner, late treasurer of the incorporated village of Doylestown, Wayne county, Ohio.

WHEREAS, The safe of C. D. Gardner, late treasurer of the incorporated village of Doylestown, Wayne county, Ohio, was burglariously broken open, and the sum of eighty-five dollars stolen from the funds belonging to said village, which amount has since been paid into said treasury by the said C. D. Gardner; and,

WHEREAS, One hundred and ninety-one electors of said village, constituting, as certified by the clerk thereof, more than three-fourths of all the voters therein, have, together with the mayor, treasurer, clerk and council of said village, signed a petition praying for the passage of an act authorizing the council of said village to repay to said C. D. Gardner, said sum of eighty-five dollars; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of said incorporated village of Doylestown, Wayne county, Ohio, is hereby authorized to repay to the said C. D. Gardner, out of the funds of said village, the said sum of eighty-five dollars.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 561].

AN ACT

For the relief of W. A. Sharick and his securities.

WHEREAS, At a special election held in Congress township, Wayne county, Ohio, on the first Monday of April, 1887, more than three-fourths of the electors voting on the proposition, voted in favor of authorizing the trustees of said township to release W. A. Sharick, late treasurer of said township, and his official securities, from the payment of the sum of $690.70, the amount burglariously stolen from the safe of said W. A. Sharick, while treasurer of said township; and,

WHEREAS, The court of common pleas of said county held, that said trustees could only release said treasurer and his securities from the payment of the amount of the township funds, and that the board of education of said township should be empowered to release the said parties from the residue of said liability; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees and the board of education of said Congress township

be and they are hereby authorized to release said W. A. Sharick and his official securities in their official bonds as treasurer of said township from the payment of said sum of six hundred and ninety dollars and seventy cents.

SECTION 2. This act shall take effect on and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 706].

AN ACT

To authorize the commissioners of Sandusky county to levy a special tax for the purpose of improving roads in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Sandusky county, Ohio, are hereby authorized and empowered to levy a tax not exceeding two-fifths (2-5) of one mill on the dollar, in addition to that now allowed by law, upon all the taxable property in said county, for a period of not exceeding five (5) years, commencing in the year 1888, for the purpose of improving, repairing and macadamizing such roads as they may deem necessary to have so improved within said county.

SECTION 2. No part of the money realized from said tax shall be used for constructing any bridge or culvert, but the same shall be expended under the direction of the commissioners solely for the purpose aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 10, 1888.

[House Bill No. 709].

AN ACT

To divide Plain township, Stark county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Plain, in the county of Stark, be and the same is hereby divided into two election precincts for all election purposes authorized by law, as follows: commencing on the north line of said township at the north-east corner of section number (5) five; thence south along

the section lines between sections four (4) and five (5), eight (8) and nine (9) and seventeen (17), twenty (20), twenty-one (21), twenty-eight (28), twenty-nine (29), thirty-two (32) and thirty-three (33), to the south line of said township; thence with said south line, west, to the south-west corner of said township; thence north with the west line of said township to the north-west corner thereof; thence east with the north line to the place of beginning. The part of said township lying west of said dividing line to be designated the New Berlin precinct of said township, with place of holding election at the village of New Berlin; and all of that part of said township lying east of said dividing line, to be designated as the center school house precinct of said township, with the place of holding election at the center school house of said township.

SECTION 2. This act shall be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 253].

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for opening and improving a road extending from the west end of the Loveland bridge, in Symmes township, to a point on the Camargo pike, near Allendale, in Sycamore township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they hereby are authorized to levy a tax of one-tenth (1-10) of a mill, in addition to the taxes now by law authorized to be levied, upon the grand duplicate of all the taxable property of said county for each of the fiscal years 1888 and 1889, and to expend the sums thus raised in improving by opening, grading and macadamizing the following described county road: Beginning at the west end of the iron bridge over the Little Miami river at Loveland, in Symmes township; thence with the county road along the bank of the Little Miami river to a stake on the bank of Symmes creek, being the northern terminus of the new road established by the commissioners of said county at their September road session, 1887; thence following the course of said new road as established, down the Little Miami river past Remington to the south fork of Sycamore creek, and up the fork of said creek to a point on the Camargo pike near Allendale, being the southern terminus of said new road, in all a distance of about seven miles, to be known as the Loveland and Madeira road.

SECTION 2. This act shall take effect from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 11, 1888.

[House Bill No. 727].

AN ACT

To authorize the incorporated village of Mentor, Lake county, to issue bonds to purchase a site and build a public hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Mentor, Lake county, Ohio, be and is hereby authorized to issue the bonds of said village in any sum not exceeding five thousand dollars in amount, for the purpose of purchasing a site and building a public hall; said bonds may be made payable, at the discretion of said council, at any period of time within five years, dating from May 1st, 1888, and shall bear interest at a rate not exceeding six per cent. per annum, payable annually, and shall not be sold at less than their par value.

SECTION 2. For the purpose of paying said bonds and the interest thereon, said council are hereby authorized to levy a tax upon all the taxable property of said village, in accordance with law, the same to be certified to the county auditor and collected as other taxes for village purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 731].

AN ACT

To authorize the board of education of the village school district of Fayette, Fulton county, to levy an additional tax to carry on the schools therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village school district of the village of Fayette, Fulton county, Ohio, be and are hereby authorized to levy a tax for the years 1888, 1889 and 1890, on all the taxable property within said district, not exceeding three mills on the dollar for each year, in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of supporting and continuing the schools in said district.

SECTION 2. It shall be the duty of said board of education to submit said proposition to levy said tax to the qualified electors of said district, at a special election to be called by the clerk of said board, fifteen (15) days' notice of which shall be legally given of the proposed submission of said proposition to levy said tax. The form of ballots at said election on said proposition, shall be as follows: "For school tax—Yes;" "For

school tax—No;" and if a majority of the qualified voters at said election shall vote in favor of said proposition, said board of education shall be authorized to make said levy for each of the years above mentioned, and not otherwise

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 513].

AN ACT

To authorize the council of the incorporated village of Liberty Centre, Henry County, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly o' the State of Ohio* That the council of the incorporated village of Liberty Centre, Henry county, Ohio, be and is hereby authorized to transfer the sum of two hundred dollars from the general fund to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 11, 1888.

[House Bill No. 504].

AN ACT

To authorize the council of the incorporated village of Portage, in the county of Wood, to issue bonds for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Portage, Wood county, Ohio, be and it is hereby authorized to issue the bonds of said village in the sum not exceeding five thousand dollars, in denominations of not less than one hundred nor more than five hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable annually, or as the council may direct, the proceeds of such bonds to be used for the purpose of widening and improving the streets of said village, and any portion thereof not so used shall be placed in the general fund of said corporation.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable within ten years from the date of said bonds, as the council may determine, and the council of said village is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest as they become due.

SECTION 3. Said bonds shall not be issued nor a tax levied for the same until the question shall have first been submitted to the voters of said village of Portage, at a general or special election, of which at least ten days' notice shall be given by publication by printed or written notices of such election being posted in at least five (5) conspicuous places in said village; at said election all tickets used in voting upon this question of issuing bonds, shall have printed or written upon them the words, "Authority to issue bonds—Yes," or "Authority to issue bonds—No." No bonds shall be issued under this act unless a majority of such vote shall be in favor of the issue of such bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 539].

AN ACT

Supplementary to an act entitled "an act to authorize the council of the village of Bellefontaine, Logan county, to issue bonds for the construction of water-works," passed April 17th, 1882 (O. L. 79, p. 228).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Bellefontaine, Ohio, are hereby authorized to issue the bonds of said village, for the purpose of sinking wells to supply the water-works of said village with water, and putting in the necessary pumps, engines, additional mains, etc., and in a sum not exceeding twenty thousand dollars, and in denominations not less than one hundred dollars, and bearing interest not exceeding six per cent. per annum, interest payable semi-annually, and redeemable at such time or times as said council may fix.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be sold at not less than their par value.

SECTION 3. For the purpose of paying said bonds, issued under the provisions of this act, and the interest thereon as the same becomes due,

said council shall have the same power to levy an additional tax as provided in the act to which this is supplementary.

SECTION 4. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.

WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 158].

AN ACT

To create four election precincts in Jefferson township, Adams county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Jefferson, in the county of Adams and state of Ohio, be and the same is hereby divided into four election precincts for presidential, state, county and township elections as follows, to-wit: So much of said township as is within the following boundaries shall be known and designated as Lynx precinct, to-wit: Beginning in the center of the Forge Dam and Blue Creek pike, in front of the residence of A. J. Waters; thence south to a point in the Rome and Mineral Springs pike ten rods northeast of the residence of George Hill; thence with the center of said pike to the line dividing the townships of Green and Jefferson; thence with said township line to Ohio Brush creek; thence up said creek to the mouth of Collins run; thence up said run to the forks of the same; thence up the left hand fork thereof to where said run crosses the public road; thence down said road to the right hand fork of Randall's run; thence down the same to the forks of said run; thence with the main branch thereof to where the road crosses Scioto Brush creek; thence with said road to its connection with the Forge Dam and Blue Creek pike at the residence of J. J. Copas; thence with the center of said pike to the place of beginning.

SECTION 2. That so much of said township as is within the following boundaries shall be known and designated as Churn Creek precinct, to-wit: Beginning at a point in the Rome and Mineral Springs pike where the Wintersteen run crosses said pike: thence following the center of the public road leading to the Scioto county line by the Patterson run; thence with the line of Adams and Scioto counties south to the Green township line; thence with said line dividing the townships of Green and Jefferson to where the Rome and Mineral Springs pike crosses said township line; thence with the center of the Rome and Mineral Springs pike to a point in said pike ten rods northeast of the residence of George Hill; thence following the eastern boundary of the Lynx precinct o a point in the Forge Dam and Blue Creek pike in front of the residence of A. J. Waters; thence following the center of said pike to the Rome and Mineral Springs pike; thence following the center of said Rome and Mineral Springs pike to the place of beginning.

SECTION 3. That so much of said township as is within the following boundaries shall be known and designated as Cedar Mills precinct, to-wit: Beginning at a point in the center of the Forge Dam and Blue Creek pike where the Cedar Mills road, by the residence of Daniel Anderson, intersects said pike; thence a straight line to a point twenty poles east of the residence of Jas. W. Graham; thence a straight line to the forks of the road near Freeman's store; thence a straight line to a point in the line dividing Jefferson and Meigs township[s] where the road from Cedar Mills to Mineral Springs crosses the same; thence with said township line west to Ohio Brush creek; thence down said creek to the mouth of Collins run; thence with said run and the northern boundary of Lynx precinct, by Randall's run, to the Forge Dam and Blue Creek pike; thence with said pike to the place of beginning.

SECTION 4. That so much of said township as is within the following boundaries shall be known and designated as Wamsleyville precinct, to-wit: Beginning at the junction of the Forge Dam and Mineral Springs pike; thence following the center of the Forge Dam and Blue Creek pike to the intersection of the road leading from Cedar Mills, by Daniel Anderson's; thence following the eastern boundary of the Cedar Mills precinct to the Meigs township line; thence following said township line in an eastern direction to the line dividing Scioto and Adams county; thence south with said county line to where the road crosses said county line, at the Patterson creek; thence following the center of said road to where the Wintersteen run crosses the Rome and Mineral Springs pike; thence with the center of the Rome and Mineral Springs pike to the place of beginning.

SECTION 5. This act shall take effect and be in force from and after its passage.

.....
Speaker of the House of Representatives.

.....
President of the Senate.

Passed April....., 1888.

[House Bill No. 723].

AN ACT

To create a special school district in Pleasant township, Seneca county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory, to-wit: Commencing at the northwest corner of Pleasant township, Seneca county, Ohio, and running south on and along the west line of said township, to a point on said west line where the half section line running east and west through section seven (7) of said township intersects said west line; thence east on and along said half section line, to the section line running north and south, between sections seven (7) and eight (8) of said township; thence south on and along said section line to the section line running east and west between sections eight (8) and seventeen (17); thence east on said section

line last mentioned to the north and south section line running between sections eight (8) and nine (9); thence north on said section line last mentioned, to the east and west half section line of section nine (9); thence east upon said half section line to the Sandusky river in said section nine (9); thence northerly, and following the meanderings of said river to the north line of said township, and thence west on and along the north line of said township to the place of beginning, shall be, and the same is hereby created and declared to constitute a special school district; provided, however, that a majority of the electors residing within said territory and voting thereat shall vote in favor of said special school district, at an election to be held in the following manner, before the rights and powers herein granted and authorized shall be exercised or enjoyed.

SECTION 2. Written notices of said election, describing the metes and bounds of said proposed special school district, shall be posted up in at least three public places within said territory, signed at least by three resident electors of said proposed special school district, requesting the qualified resident electors thereof to assemble on a day, at least five days from the day of posting said notices, and at an hour and place designated in said notice[s], then and there to vote for or against the said special school district. The electors assembled at the time and place designated in said notice, shall appoint a chairman and two clerks, who shall be judges of said election; and said election shall continue at least two hours, and shall not be closed before four (4) o'clock p. m. on said day. The electors in favor of the proposed special school district shall have written upon their ballots, "Special school district—Yes;" those opposed thereto, "Special school district—No;" and a majority of ballots so cast shall determine the question whether or not the said proposed special school district shall be organized, and the rights and powers herein mentioned enjoyed.

SECTION 3. Should a majority of all the ballots cast at said election be found in favor of the special school district as aforesaid, the electors shall at once proceed to elect three (3) members to constitute a board of education, one to serve until the third Monday in April, 1889, and one for two years and one for three years from the third Monday of April, 1888, and until the election and qualification of their successors.

SECTION 4. Said special school district shall be entitled to have and receive its proportionate share of all the school funds, and of all funds levied or collected for school house purposes and incidental expenses in accordance with the enumeration of the year 1887 of children who are entitled to attend school, and shall be entitled to have and receive the funds raised by a special levy made on the 12th day of July, 1887, namely: the sum of twelve hundred dollars ($1,200.00), one-half of which is now in the treasury of said township, and the balance to be collected June, 1888, levied for the purpose of building a school house in the said special school district territory described in section one of this act, with full power to expend said fund for said purpose, and shall be governed by such laws as now are or may hereafter be in force, relating to special school districts.

SECTION 5. This act to take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 657.]

AN ACT

To authorize the commissioners of Logan county, Ohio, to provide for the deficiency in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Logan county, Ohio, for the purpose of meeting and providing for a deficiency in the county funds of said county are hereby authorized to issue bonds in an amount not exceeding $10,000. Said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations, from one hundred to five hundred dollars each, and shall be due and payable at such times, not exceeding five years, as the commissioners may determine, and said bonds shall be issued and sold according to law.

SECTION 2. The bonds and interest of said bonds shall be paid out of the additional tax provided for in the act of April 17, 1885, "entitled" an act to authorize the commissioners of Logan county to levy 2-10 additional tax for general county purposes, for the years 1888, '89, '90, '91 and '92.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 11, 1888.

[House Bill No. 668].

AN ACT

To authorize the council of the incorporated village of West Cleveland, Ohio, to issue bonds for the purpose of improving Detroit street in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of West Cleveland, Cuyahoga county, Ohio, is hereby authorized to issue the bonds of said village in a sum not exceeding the sum of forty thousand dollars, in such denominations as said council may deem fit, bearing interest at a rate not exceeding six per cent. per annum, payable annually, and redeemable at a period not exceeding twenty-five years from the date of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said village; and shall be made payable at such place or places as the council of said village shall by ordinance provide; and said bonds shall not be sold for less than their par value, and may be issued and sold at such times and places and in such amounts as the council of said village shall provide by ordinance,

SECTION 2. The money arising from the sale of such bonds shall be used by the council of said village for the purpose of curbing, improving

and paving Detroit street in said village, from a point in the easterly line of said village to the easterly line of the New York, Chicago & St. Louis railway crossing in said village.

SECTION 3. Whenever the bonds of said village shall be issued, as provided in this act, it shall be the duty of the council of said village to levy a tax and assessment upon all property, lots, premises and hereditaments abutting on said Detroit street between the limits mentioned in section 2 of this act, sufficient to pay the interest accruing annually on said bonds as issued; and to create a sinking fund for the payment of the principal of said bonds as the same shall fall due; provided, that said council may create said sinking fund whenever in its judgment it shall be necessary.

SECTION 4. That for the purpose of paying such amount or portion of said bonds as shall have been issued for the purpose of paying street and alley intersections, the council of said village may and is authorized to levy a tax upon all the taxable property in said village, in addition to the amount allowed to be levied by law, to be placed in the "Detroit street improving fund," and not to be othewise appropriated.

SECTION 5. That this act take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 695].

AN ACT

To authorize the council of the incorporated village of Medina, Ohio, to receive moneys in trust for the benefit and improvement of Spring Grove cemetery, located within said village of Medina.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Medina, Ohio, be and is hereby authorized and empowered to receive donations by bequest, devise, or deed of gift or otherwise, or money or other property, and to hold and constitute said donations and moneys so received an irreducible trust fund, the interest of which shall be paid to the trustees of said Spring Grove cemetery, which shall be applied by said trustees in the improvement, enlargement, and embellishment of said Spring Grove cemetery generally, or for the benefit and improvement of any particular part or parts, lot or lots therein, as the donor may direct, or as the trustees may from time to time determine, if no directions be given. Said trust fund in the aggregate not to exceed twenty thousand dollars ($20,000). In consideration of the receipt thereof, the council of said village shall pledge the faith and credit of said village of Medina, to the payment of the interest thereon, at the rate of five per cent. per annum, payable semi-annually, to the trustees of said Spring Grove cemetery; and it shall be

the duty of said council to provide, and it shall provide for the payment of said interest as it becomes due and payable, in the manner it provides for the payment of other debts and liabilities of said village; provided, that said money in said trust fund shall be applied to the payment of the funded indebtedness of said village of Medina. And if the said money in said trust fund shall not be so applied, the same shall be loaned on first mortgage security, at a rate not less than five per cent. per annum, payable semi-annually. Said security and loan to be first approved by the council of said village of Medina.

SECTION 2. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[House Bill No. 379].

AN ACT

To authorize the county commissioners of Hamilton county to improve the Cincinnati, Oakley and Madison avenue, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the county commissioners of Hamilton county are hereby authorized to improve, as herein provided, the Cincinnati, Oakley and Madison avenue; commencing at the intersection of the line of the Madison turnpike with the north corporation line of the city of Cincinnati; thence running northeastwardly with the line of said turnpike to the Brotherton road at Oakley; thence with the line of said Brotherton road to the corporation line of Madisonville, a distance of eighteen thousand feet, and to a width of sixty feet.

SECTION 2. To facilitate the execution of the preceding section, the said commissioners may appoint three freeholders of said county, as trustees, to view, survey and obtain the right of way over said turnpike by dedication, or to agree with the owners of said turnpike for the purchase thereof, subject to the approval of the said commissioners. The said trustees shall serve without compensation.

SECTION 3. If the said trustees and the owners of the said turnpike fail to agree as to the amount of compensation, the trustees shall report the same to the commissioners, with a description of the property sought to be appropriated; and the said county commissioners may proceed in their name to ascertain and adjust the said compensation under and in accordance with the law providing for the appropriation of private property for street purposes by a municipal corporation.

SECTION 4. The said trustees shall establish the grade of said avenue after the title thereto has been obtained by grant, purchase or appropriation; estimate the cost of improving the same by grading, macadamizing and constructing the necessary bridges and culverts, and employ an engi-

neer, to assist in so doing, and report the same to said commissioners, together with all expenses of every kind incurred in connection therewith, including the cost of the necessary right of way over said turnpike.

SECTION 5. When the report of the trustees, as provided in the preceding section, is filed with the county commissioners, they may at once advertise for bids for ten consecutive days in a newspaper of general circulation in said county, for improving said avenue between the points named, by grading, macadamizing and constructing the necessary bridges and culverts. And the said commissioners shall award the contract to the lowest and best bidder. The improvement shall be made under the supervision of the said trustees, who shall report from time to time to the said commissioners, who have exclusive final jurisdiction thereof.

SECTION 6. The said commissioners, in addition to their other powers of taxation, are hereby authorized to levy and collect in the grand levy of taxes on the taxable property of said county on the duplicate for the year 1888, a tax of $\frac{1}{8}$ of a mill on the dollar; for 1889, $\frac{1}{8}$ of a mill; the fund so raised to be credited to the said "Cincinnati, Oakley and Madison avenue fund," and to be applied to the improvement of said avenue, as herein provided.

SECTION 7. The said county commissioners may begin the construction of said Cincinnati, Oakley and Madison avenue, with full authority to contract for same at any time from and after the passage of this bill, in anticipation of said levy.

SECTION 8. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 11, 1888.

[Senate Bill No. 293].

AN ACT

To authorize the village of McArthur, and township of Elk, to fund and pay certain indebtedness.

WHEREAS, The village of McArthur, and township of Elk, in Vinton county, Ohio, in order to complete the town hall jointly erected by them, heretofore borrowed from Geo. W. Benedict, in his life-time, $1,000, to be repaid in ten years, at eight per cent. interest, with other conditions; and,

WHEREAS, Said borrowers can now place their bonds at a lower rate of interest, for a shorter time, and the executor and trustee of said Geo. W. Benedict, now deceased, are willing to accept the sum due on said loan, and release the said village and township from said contract; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of said township of Elk, and the council of said village of McArthur, are hereby authorized to issue the joint or several bonds of said township and village, in the aggregate sum of one thousand dollars,

in such amounts as they shall deem proper, payable in equal annual installments, within not more than ten years, at a rate of interest not exceeding seven per cent. per annum, payable annually, which bonds shall be sold at not less than par, and the proceeds thereof applied upon the payment to said estate of said Geo. W. Benedict of said loan.

SECTION 2. Said council of said village, and said trustees of said township, are hereby authorized to levy, in the year 1889, and each following year until said bonds shall be fully paid, such a tax, in addition to that prescribed by law, on the taxable property of said village and township, as shall, when added to the funds available from the rents of said town hall, discharge the amount of the interest and principal of said bonds falling due in said years, and payable by said village and said township respectively; but such levy shall not exceed one-half mill in any year.

SECTION 3. This act shall take effect and be in force from and after its passage.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 12, 1888.

[Senate Bill No. 314].

AN ACT

Authorizing the county commissioners of Logan county, Ohio, to purchase grounds for the purpose of erecting or constructing a monumental and armory building thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Logan county, Ohio, be and they are hereby authorized and empowered to purchase or lease such real estate in the village of Bellefontaine, in said county, either with or without building thereon, as in their judgment they may deem necessary for the purpose of constructing or erecting a soldiers' memorial and armory building thereon.

SECTION 2. That upon the purchase or lease of such grounds, said board of county commissioners are authorized to cause to be constructed or erected, a suitable building or buildings for a soldiers' monumental building as well as an armory thereon.

SECTION 3. That for the purpose of purchasing or leasing said grounds and constructing or erecting said building or buildings, said commissioners are authorized to issue the bonds of said county, and in a sum not to exceed six thousand dollars, payable at such times as said commissioners may determine, bearing interest at the rate of six per cent., payable semi-annually, which bonds shall be sold according to law, and for not less than their par value; and for the purpose of paying said bonds with their interest, said commissioners may levy such tax in excess of the maximum now allowed by law, upon the taxable property of said county, from year to year until said bonds and interest shall be fully paid, as shall be necessary.

SECTION 4. That upon the purchase or lease of said grounds, said commissioners are authorized to appoint a committee of three persons, if they shall deem the same necessary, who shall have full power to act with said commissioners in the construction or erection of said buildings as aforesaid. Said committee to be allowed no pay for their services.

SECTION 5. This act shall take effect from its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 753].

AN ACT

To authorize the council of the village of New London, Ohio, to transfer certain funds to the village board of education thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of New London, Huron county, Ohio, be and it is hereby authorized to transfer from the general fund of said village the sum of one thousand dollars, and from the street fund thereof the sum of one thousand dollars, to the board of education of said New London village school district for the use of the general school fund thereof. Said funds, when so transferred, shall be applied to the payment of the bonds of said school district heretofore issued for the purpose of procuring a site and the erection of a school house thereon, in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 421].

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Scioto river at the foot of either Town or Rich street in the city of Columbus

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county be and they are hereby authorized to construct a bridge across the Scioto river, at

either Town or Rich street, in the city of Columbus, as the county commissioners may determine; provided, the right of way to said proposed structure shall first be secured without any additional expense to said county for the condemnation of property or otherwise, at a cost of not more more than fifty thousand dollars; and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing said bridge, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, in sums not less than one thousand dollars each, at a rate of interest not to exceed six per centum per annum, payable semi-annually, and not to exceed in the aggregate the sum of fifty thousand dollars; and said commissioners are further authorized to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they mature, and the interest thereon, for such length of time as may be necessary for that purpose.

SECTION 3. This act shall be in force from its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 748].

AN ACT

To authorize the village of Conneaut, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Conneaut, Ashtabula county, Ohio, be and is hereby authorized to transfer from the sewer and drain fund, first, to the fees and salary fund the sum of six hundred dollars; second, from said sewer and drain fund, to the corporation fund, the sum of three hundred dollars; third, from said sewer and drain fund to the street fund the sum of three hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 352].

AN ACT

To authorize the county commissioners of Fairfield county, Ohio, to buy a certain turnpike therein described, and maintain the same as a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Fairfield county be and they are hereby authorized to purchase, at a fair valuation, the value to be fixed by appraisers in accordance with the provisions of section 3499, so much of the Zanesville and Maysville turnpike road, as is situated, lying and being in Fairfield county, Ohio, leading from the county line between Fairfield and Perry counties, to the Pickaway county line, being a distance of about thirty miles.

SECTION 2. Said county commissioners are hereby authorized to issue bonds for the purchase of said road, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be issued and sold according to law.

SECTION 3. For the purpose of paying said bonds, said commissioners are hereby authorized to levy a tax, not to exceed one-half of one mill on the dollar annually, in addition to all other taxes allowed by law, on all the taxable property in said county of Fairfield.

SECTION 4. And if said turnpike road shall be so purchased, then the board of commissioners of said county shall thereafter keep the same in a good state of repair as a free turnpike.

SECTION 5. This act to be in force on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 649].

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient free turnpike on the old Georgetown and Wilmington road; beginning at the intersection of the Georgetown and Wilmington road with the Georgetown and Fayetteville free turnpike road, south of the corporation line of the village of Fayetteville; thence north with the line of said Georgetown and Wilmington road, to the Clinton county line.

SECTION 2. Said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those inter-

ested in said improvement, a subscription or donation equal in amount to twenty per cent. of the cost of said improvement, to aid in the construction of the same.

SECTION 3. For the purpose of paying eighty per cent. of the cost of the construction of said turnpike road, the commissioners are hereby authorized to issue the bonds of the county, bearing not to exceed six per cent. interest, payable at such times as the commissioners may determine, not exceeding ten years from the date thereof; said bonds shall be issued and sold according to law.

SECTION 4. The said commissioners shall levy annually upon the taxable property of the county, a sum sufficient to pay said bonds and the interest thereon, as the same become due and payable.

SECTION 5. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[Senate Bill No. 322].

AN ACT

To authorize the board of education of the special school district of the village of Swanton and territory annexed thereto, in Fulton county, Ohio, to borrow money and issue bonds for the purpose of building an addition to the school house of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the special school district of the village of Swanton and territory annexed thereto, in Fulton county, Ohio, is hereby authorized to borrow money, not to exceed the sum of five thousand dollars, and issue bonds of the district therefor, for the purpose of building an addition to the school house of the district, and furnishing the same.

SECTION 2. That such bonds shall be signed by the president and clerk of the board of education, shall not be for a sum greater than five hundred dollars nor less than one hundred dollars each; shall bear interest at a rate not to exceed six per cent. per annum, shall be made payable at such times as the board shall determine, but within ten years from date of issue, and shall not be sold for less than their face value; and the board shall levy annually such tax as is necessary to pay the bonds as they become due, and all accrued interest.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 732].

AN ACT

To authorize the commissioners of Hocking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of the county of Hocking be and they are hereby authorized to permanently transfer the sum of ten thousand five hundred dollars ($10,500) from the building fund of said county to the general revenue fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 676].

AN ACT

To amend an act entitled " an act in aid of the retreat, a home for friendless girls, located in the city of Toledo, a benevolent association incorporated in the laws of Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the above recited act (passed May 19, 1886, v. 83 O. L., p. 392) be so amended as to read as follows:

SEC. 1. That all justices of the peace, all police courts in the city of Toledo, and the courts of common pleas, and all courts of record in the county of Lucas, be authorized and required to pay over to the retreat, a home for friendless girls, in the city of Toledo, all fines and forfeitures arising from the prosecution of houses of ill-fame or prostitution, or the inmates, residents or visitors thereof in the city of Toledo.

The said courts shall pay over, monthly, all sums of money so collected, taking therefor a receipt from the treasurer of said retreat, which shall be a voucher for said courts in any settlement with the city or county treasurer, for the sums thus collected by said courts.

SECTION 2. That said original section 1 be and the same is hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 97].

AN ACT

To provide for the erection of buildings for protecting road implements in the different townships of Morrow and Williams counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the different townships in Morrow and Williams counties are hereby authorized and empowered to levy a tax not to exceed three hundred ($300.00) [dollars] for each of said townships, for the purpose of erecting in each of said townships a suitable building for protecting the road implements of the said townships.

SECTION 2. That this act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 643].

AN ACT

To enable Union township, Warren county, Ohio, to satisfy claims for bounty.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Union township, Warren county, be and they are hereby authorized to pay Selby Wiley the sum of two hundred and fifteen dollars, and to Charles Crane the sum of two hundred and fifteen dollars, the balance alleged to be due them from said township for bounty as soldiers during the late war, together with interest on said amounts, from December 20, 1864, and for that purpose, if necessary, to levy a tax on the taxable property of said township, sufficient to raise said amount and interest; provided, however, that before said trustees levy said tax, or pay said claims, said Selby Wiley and Charles Crane shall satisfy them by competent and satisfactory proof, that they enlisted as soldiers in the first regiment U. S. veteran volunteers—Hancock corps, during the year 1864, that they were credited to said Union township; that they were promised by the proper authority a bounty of four hundred dollars each, and that they have only received one hundred and eighty-five dollars each, on said amount.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 660].

AN ACT

To authorize the county commissioners of Hamilton county to purchase that part of Ohio turnpike situated in said county of Hamilton.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of the county of Hamilton, be and hereby is authorized to purchase, for said county, that part of the Ohio turnpike road situate in the county of Hamilton, and thereafter to be a free turnpike, and kept in repair as other free turnpike roads in said county. When purchased, and before any payment is made therefor, the owner or owners to execute to the county of Hamilton a good and sufficient deed of conveyance, and to the satisfaction of said board of county commissioners.

SECTION 2. That before said purchase is made, there shall be filed in the office of said board of county commissioners, by the persons interested in the purchase of said part of said Ohio turnpike, a guarantee by subscription or otherwise, to the satisfaction of said board, of twenty per cent. of the amount of purchase money of said part of said Ohio turnpike road. When the purchase is made and deed of conveyance executed for said part of said Ohio turnpike road, the board of county commissioners shall assign said guaranty of twenty per cent. to the late owner of the Ohio turnpike, and the same shall be received by him, without rebate, in full payment of the one-fifth of the purchase money for said part of said Ohio turnpike road, to be collected by him in his own name.

SECTION 3. That in case said board of county commissioners and the owner of said part of said Ohio turnpike, cannot agree upon a purchase price, said board and owner may cause an appraisement thereof to be made by three disinterested freeholders of said county, one to be selected by said board, one by said owner and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SECTION 4. That the appraisers selected and chosen under the provisions of this act shall, under oath, upon actual view, appraise that portion of the Ohio turnpike road located in said county, at its true value, and make return in writing of their appraisement, within ten days after making the same to said board. The said board and owner of said Ohio turnpike within thirty days after the return of said appraisement, may agree upon a sale and purchase of said part of said Ohio turnpike at the appraised value or less. If the said board refuses to complete the purchase at the appraised value, in that case the said county shall pay the costs of appraisement. If the owner refuses to sell at the appraised value, the said owner of said Ohio turnpike shall pay the costs of appraisement. The appraisers shall each be entitled to receive two dollars per day for their services rendered under this act.

SECTION 5. That for the purpose of paying four-fifths of the purchase money for said part of said Ohio turnpike road, said board of county commissioners is hereby authorized to issue the bonds of said county, payable at such times not exceeding twenty years from the date of the same, as to said board may seem proper, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually. Said county bonds shall not be sold or otherwise disposed of at less than their par value. The bonds to be issued in denominations not to exceed five hundred dollars nor less than fifty dollars.

SECTION 6. That the county auditor of said county shall make and keep in the office of said board, in a book to be provided for registry of county bonds, an accurate registry of said bonds, showing date of issue, number of bond, amount of bond, to whom sold, when due, when redeemed and amount of interest and principal paid on each bond. Each of said bonds to be signed by the county commissioners and countersigned in red ink by the county auditor of said county.

SECTION 7. That for the payment of the interest on, and for the redemption of said bonds, the board of county commissioners of said county is hereby authorized to levy a tax upon all the taxable property of said county, at such a rate not exceeding one-eighth of a mill annually, in addition to other levies for road purposes, authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay said bonds as they become due and payable.

SECTION 8. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 749].

AN ACT

To authorize the council of the city of Norwalk, Huron county, Ohio, to issue bonds and levy a tax for the purpose of improving the public water supply of said city, by testing the drive well system, and making present necessary repair[s] at the water-works thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Norwalk, Ohio, be and it is hereby authorized to issue the bonds of said city in a sum not exceeding in amount the sum of fifteen thousand dollars, the proceeds of which shall be applied to improving the water supply of said city, by testing the drive well system, and to making present necessary repairs at the water-works thereof.

SECTION 2. Said bonds shall bear interest at not more than five per cent. per annum, payable semi-annually; and shall be of such denomination, and for such time, not exceeding ten years, as the council shall by ordinance determine; but no bond or bonds shall be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon, said council is hereby authorized to levy a tax upon all the taxable property of said city, in addition to the amount now allowed by law, sufficient each year to pay all accruing interest upon said bonds, and sufficient to redeem such bonds as they fall due; and to certify the same to the county auditor for collection, in the same manner and time as other taxes are collected.

SECTION 4. Said bonds shall not be issued, and said tax shall not be levied until the question of the issue of said bonds shall have been first submitted to the qualified voters of said city at a special election, ordered for the purpose, at such time and manner as said council may determine, to be held at the usual places of holding elections in said city. The tickets to be voted at such election shall have written or printed thereon, the words, "For the issue of bonds;" or "Against the issue of bonds." If a majority of the votes cast at such election on said proposition contain the words, "For the issue of bonds," then the council shall have authority to proceed to issue said bonds and levy said tax, and not otherwise. Provided, that ten days' previous notice shall be given of the time and place of holding said election, by publication in two newspapers of opposite politics, of general circulation in said city.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[House Bill No. 741].

AN ACT

To authorize the council of the village of Beverly, Washington county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Beverly, Washington county, Ohio, be and is hereby authorized to transfer the sum of five hundred dollars ($500.00) from the general fund; one hundred dollars ($100.00) from the street fund; two hundred dollars ($200.00) from the fire fund; and one hundred dollars ($100.00) from the police fund of said village, to the building fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 13, 1888.

[Senate Bill No. 259].

AN ACT

To divide Lake township, Stark county, Ohio, into three election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Lake, in the county of Stark, be and the same is hereby divided for all presidential, state, county and township elections, into three election precincts as follows: Greentown, Uniontown and Midway precincts. The Germantown precinct shall include all the territory in sections numbers 19, 20, 21, 28, 29, 30, 31, 32 and 33, and the elections shall be held at Greentown, within said territory and township. The Uniontown precinct shall include all the territory in sections numbers 4, 5, 6, 7, 8, 9, 16, 17, [and] 18, and the elections shall be held at Uniontown, within said territory and township. The Midway precinct shall include the remaining part of the township, and the elections held at Midway, within said district and township.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 311].

AN ACT

To authorize the commissioners of Butler county, Ohio, to build a certain free turnpike road hereafter named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Butler county, in addition to their other powers of taxation, shall, and are hereby authorized to assess and collect upon the grand levy of taxable property of said county, a tax not exceeding three-hundredths (3-100) of a mill on the dollar, which shall be assessed in the year eighteen hundred and eighty-eight (1888), to be applied to grading, macadamizing and improving of a road in Morgan township, extending from the state line southeasterly to the California and Biddinger turnpike road, and known as the Drewersburg and New Haven road; provided, further, that said road shall be established, graded and improved over said Drewersburg and New Haven road, under the supervision of said board of county commissioners.

SECTION 2. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 249].

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Scioto river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of Franklin county be and they are hereby authorized to construct a bridge across the Scioto river, at the head of Sandusky street, in the city of Columbus, providing the county commissioners of said Franklin county shall first secure the right of way to said bridge without any additional expense to said county, and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing this bridge, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, in sums of not less than one thousand dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of thirty thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pays aid bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No 556.]

AN ACT

To establish a special school district in Osnaburg township, Stark county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a special school district, in the township of Osnaburg, Stark county, Ohio, to be known as the Mapleton special school district, be and the same is hereby established in and of the following described territory, to-wit: The east half of section 21, the whole of section 22, the south half of section 23, the whole of section 26, except the east half of the south-east quarter thereof, the whole of section 27, the east half of section 28, the whole of section 34, and the west half of section 35 of said Osnaburg township, Stark county, Ohio.

SECTION 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for incidental expenses, in accordance with the enumeration of the year 1887 of school children entitled to attend school; said funds being those now collected within the township or county treasuries, and shall be governed by such laws as now are, or may hereafter be, in force relating to special school districts.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 684].

AN ACT

To authorize the commissioners of Fairfield county, Ohio, to levy a tax for the improving, grading and graveling of the road running from a road near Lancaster to Clearport in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Fairfield county, Ohio, be and they are hereby authorized to assess and collect upon the general levy of all the taxable property of said Fairfield county, a tax not exceeding three-tenths of one mill on each dollar valuation thereof, which shall be applied by and under the direction of said county commissioners, in improving, grading and graveling the old state road from a point where it intersects the road leading from Lancaster to Boys' Industrial School; thence westerly through Hamburgh, to where it intersects the road lying west of and adjoining land of Jacob Kerns, and thence to Clearport.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 718].

AN ACT

To authorize the cemetery directors of Walnut township, Pickaway county, to loan certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the cemetery directors of Walnut township, Pickaway county, Ohio, be and the same are hereby authorized, when in their judgment the interests of said cemetery will be best subserved thereby, to loan such

surplus funds as they may have in their possession. Said loans to be secured by a first mortgage on lands, and not to exceed one-third the estimated value of said lands. Said loans to be made for a period not exceeding five years, and to draw interest at not less than six per cent. per annum, interest to be paid annually.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 300].

AN ACT

To divide the township of Clinton, in the county of Franklin, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Clinton, in the county of Franklin, be and the same is hereby divided into two election precincts. The dividing line of said township for said election purposes to be the North Columbus road running from the east line of said township to the east corporation line of the city of Columbus, Ohio. All that portion of said township lying north and west of said road and corporation line to be designated north precinct, and all of that portion of said township lying south and east of said road and corporation line to be designated south precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 747].

AN ACT

To authorize the township trustees of Madison township, Lake county, Ohio, to transfer one thousand dollars of the township fund to the road fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Madison township, Lake county, Ohio, be and they are hereby authorized and empowered to transfer from the town-

ship fund of said township the sum of one thousand dollars to the road fund for the improvement of roads in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 555].

AN ACT

To authorize the incorporated village of Caldwell, Noble county, to issue bonds for the purpose of providing fire protection, and paying for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Caldwell, Noble county, is hereby authorized to issue bonds not exceeding in amount five thousand dollars, for the purpose of providing fire protection and paying for the same.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned and registered by the clerk thereof, and may be issued in denominations not less than fifty nor more than five hundred dollars, bearing interest not exceeding six per cent. per annum, payable either annually or semi-annually, as may be determined by said council, and said bonds to run for such length of time, not exceeding ten years, and to come due in such installments as may be determined by said council.

SECTION 3. Said council is hereby authorized to levy a sufficient tax to meet any indebtedness incurred under this act.

SECTION 4. Before said bonds shall be issued, the question of issuing the same shall be submitted to the qualified voters of said village. The clerk thereof shall give at least two weeks notice of said election by notices posted up in at least three conspicuous places in said village, and if a majority of the votes cast at said election are in favor of said issue, then it shall be lawful to make the same. The tickets for said election shall have written or printed thereon, if the issuing of said bonds is favored, the words: "For fire protection—Yes;" if opposed, "For fire protection—No."

SECTION 5. This act shall take effect from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 742].

AN ACT

To authorize the incorporated village of New Concord, Muskingum county, to issue town hall bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of New Concord, Muskingum county, Ohio, be authorized to borrow money and issue bonds therefor, not to exceed ten thousand ($10,000) dollars, for the purpose of purchasing suitable grounds and building thereon a town hall; said bonds to be of such denominations as said council may deem proper, and shall run for a period not exceeding twenty-five years, to bear interest not to exceed six per cent. per annum, payable semi-annually.

SECTION 2. This act shall be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 14, 1888.

[House Bill No. 760].

AN ACT

To authorize the trustees of Concord township of Delaware county, Ohio, to transfer funds and purchase a stone crusher.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Concord township, Delaware county, Ohio, are hereby authorized and empowered to transfer the whole of the moneys received and to be received by the treasurer of said township, from taxes under and by virtue of an act passed by the General Assembly of the state of Ohio, March 12, 1887 (Ohio laws, vol. 84, page 352), authorizing said trustees to purchase land and erect thereon a township house in said township, to-wit: the sum of five hundred dollars to the general township fund, and to expend the same in purchasing a stone crusher for the purpose of crushing stone to repair the improved roads in said township.

SECTION 2. Said fund shall not be so transferred or expended by said trustees until the question shall be submitted to the voters of said township, at a special election, of which at least ten days' notice shall be given by advertisement in a newspaper of general circulation in said township, and by written or printed notices posted up in at least ten public places in said township, and said election shall not be called by said trustees till a petition shall have been presented to said trustees, signed by not less than fifty electors of said township, asking that such election be held. All voters desiring to vote in favor of transfer of fund and purchase of stone crusher, shall have written or printed on their ballots the words, "Transfer of fund and purchase of stone crusher—Yes;" and all voters desiring to vote against transfer of fund and purchase of stone crusher,

shall have written or printed on their ballots the words, "Transfer of fund and purchase of stone crusher —No." Said trustees shall not transfer said fund or purchase said stone crusher under this act, unless a majority of the votes cast at said election shall be favorable thereto; and said election shall be held in all respects, under the provisions of the law regulating township elections.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 735].

AN ACT

To establish, provide for and maintain a public library in the city of Findlay, Hancock county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Findlay, in Hancock county, Ohio, may elect by ballot a special board of six competent persons, residents of said city, to be called the Library Board, who shall have the management and control, under the direction and rules of said city council, of a city library for said city, to be established and provided for by said council as hereinafter authorized.

SECTION 2. That said six members of said library board shall be selected equally from the two political parties having the largest representation in said council, and shall be elected as follows: two for a term of one year, two for two years, and two for three years; and at the end of the first year two shall be annually elected, who shall hold such office for a term of three years, and said members shall serve without compensation, and each ward of said city shall have one, but no more than one, member of said library board resident therein. And said library board shall, within ten days after their election, meet at the council room of said city and organize by the appointment of a president and vice-president, secretary and treasurer, and said board when so organized, shall immediately proceed to make rules and regulations, subject to the approval of said council for the government of said library board, and the control and management of said public library and the manner and conditions of using the same by the public.

SECTION 3. That said library board shall have power to purchase books, magazines and other proper literary and instructive reading, and other necessary and proper supplies for said public library and the proper use and enjoyment thereof. And said board are authorized and empowered to employ and pay to a librarian, and if necessary an assistant librarian, a reasonable compensation for his or her services. Said librarian shall be annually elected by said board, and such assistant shall be ap-

pointed by said board, as a necessity for the same may arise. All accounts and vouchers for books, magazines or other reading matter purchased, work done, pay to librarian and assistant, rents or other expenditures for said library, or of said board in and about the control and management of said library and the improvement and enlargement thereof, shall be examined, passed upon and approved by said board before the same are paid, and no payments thereof shall be made except on the written order of said board signed by the president and secretary thereof.

SECTION 4. That said library board shall be required to report fully their proceedings and expenditures to said city council at least once in one year and as much oftener as said council may direct, and also make an estimate and report thereof to said council on or before the first day of April of each year of the expenses of said library board to keep up and maintain said library for the succeeding year, and in no case shall such expenses be allowed to exceed the appropriation therefor by said council, and no debt or debts shall be contracted in excess of the appropriation made from year to year by said council.

SECTION 5. The mayor of said council shall be ex-officio a member of such library board and have the right to be present at any of the meetings of said board and vote upon any question before said board the same as any other member thereof.

SECTION 6. That said library board shall be and hereby are authorized to receive and accept and shall have power to receive and accept any gift, donation, bequest, transfer or conveyance of real or personal property to said library board for the use, support, maintenance and benefit of said public library; and said board are hereby authorized and empowered under the direction of said council to provide for the proper use, care, protection and appropriation of all such real or personal property so given, donated, bequeathed, transferred or conveyed to said board so as to make the same beneficial to said library board and the citizens of said city in supporting and maintaining said library.

SECTION 7. That whenever a library board shall be elected pursuant to the provisions of this act, the council of said city of Findlay shall have the power and hereby is authorized to levy and cause to be levied annually for library purposes as aforesaid a tax not exceeding the one-tenth of one mill per dollar of the city valuation of real and personal property in said city, to be certified by said council according to law and placed on the duplicate of the county auditor for collection, as other levies; but no funds derived from levies made, gifts, donations, conveyances or transfers of real or personal property [] until the treasurer of said library board shall have executed a good and sufficient bond to said city council with sureties thereon to be approved by said city council conditioned to account for and pay over all money which may come into his hands as such treasurer, and further do and perform all the duties incumbent upon him as such treasurer.

SECTION 8. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 770].

AN ACT

To divide Perry township, Hocking county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Perry, in the county of Hocking, be and the same is hereby divided into two election precincts, as follows: That all the territory included within sections five (5), six (6), seven (7), eight (8), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32) and thirty-three (33) of township twelve (12), and sections thirty-one (31) and thirty-two (32) of township thirteen (13) in said named township, shall constitute and be known as the Laurelville precinct, and elections shall be held at Laurelville, in said precinct. That all the territory included within sections one (1), two (2), three (3), four (4), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), thirty-four (34), thirty-five (35) and thirty-six (36) of township twelve (12) and sections thirty-three (33), thirty-four (34), thirty-five (35) and thirty-six (36) of township thirteen (13), in said named township, shall constitute and be known as the South Perry precinct, and elections shall be held at South Perry in said precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 755].

AN ACT

To authorize the village council of the incorporated village of Marion, Marion county, to issue bonds for the purpose of providing said village with a system of sewerage.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Marion, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding fifty thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with a system of public sewerage.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council of said village, best subserve the negotiation and sale thereof. The principal of said bonds shall be payable at

such place and at such times as the said council may determine by ordinance, within a period not exceeding twelve years; and said council is hereby authorized to levy a tax upon all the taxable property of said village, not exceeding two mills on the dollar in any one year to pay the amount of said bonds and interest.

SECTION 3. The funds realized from the sale of said bonds shall be used by said council for the purpose of constructing and paying for a system of sewerage for said village.

SECTION 4. This act shall be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 740].

AN ACT

To create a sinking fund in Hamilton county, and provide for the investment of sinking funds.

WHEREAS, By reason of the destruction of the court house and many of the records of Hamilton county by the fire in 1884, it became necessary to issue the bonds of said county to rebuild said court house and restore said records; and,

WHEREAS, The special laws enacted authorizing the issue of the different series of bonds vary as to the manner in which a sinking fund shall be created to pay the same at maturity, in some cases no provisions being named in the law; and,

WHEREAS, It becomes necessary in order that the county commissioners may be able to provide a sinking fund with which to pay all the bonds now outstanding and authorized to be issued without having a separate fund for different series of bonds; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county are hereby authorized and required, in addition to the levy necessary to pay interest on bonds, to levy upon the taxable valuation of all property in said county one-tenth of a mill annually, until the year 1900, and on and after that year, not to exceed two-tenths of a mill until the year 1917, to create a fund to be known as the sinking fund, to pay the principal of all bonds issued by said county now outstanding, or authorized to be issued under existing laws, and that any fund now existing that has been collected for any special series of bonds issued by said county, shall be transferred to the credit of the sinking fund. Provided, that where bonds have been or may hereafter be issued by said county, in pursuance of law, the proceeds of which are to be, or may have been used for the purposes of the county infirmary, that in addition to the levy hereinbefore authorized, the county commissioners shall make a levy on the valuation of all taxable property within said county exclusive of any city therein which maintains an infirmary separate from such county infirmary, suffic-

ient to pay the interest and principal of such bonds at maturity, to be known as the "County infirmary interest and sinking fund;" and all taxes levied and collected under the provisions of this act shall be applied to the specific object for which they are levied and no other.

SECTION 2. That in addition to the levy named in the preceding section, the commissioners of said county shall also levy such sum as from time to time may be necessary, to be added to the sinking fund for the payment at maturity, of such bonds as may be issued hereafter in pursuance of law.

SECTION 3. The county commissioners of said county shall, at their discretion, invest the money in the sinking fund whenever there is a balance to the credit of said fund in a sum more than sufficient to pay the bonds of the county maturing within six months; said balance to be used for the purchase of bonds of the state of Ohio, or of the county, or of any municipal corporation of said county; the bonds so purchased to be held by the county treasurer of said county for the sinking fund. The board of county commissioners shall collect the interest on all bonds so held by the county treasurer as investments of the sinking fund, and shall reinvest such sinking fund as above provided. The board shall have the right to take for the sinking fund at par and accrued interest, all or any of any issue of bonds of the county hereafter to be made before the same shall be advertised or be offered to any other bidder, and only such issues and parts of issues shall be otherwise sold or disposed of as the said board may decline to take for the sinking fund. The board may only sell or use any of the securities held by them for sinking fund, to provide for the payment of county bonds falling due.

SECTION 4. That all acts or parts of acts, relating to the levy for sinking fund purposes in said county in conflict with the provisions of this act, are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 723].

AN ACT

To authorize the commissioners of certain counties of Ohio to appropriate funds to be used by said counties to defray expenses of making agricultural and other display at the Ohio centennial exposition to be held at Columbus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of said counties of Fulton, and Ashtabula, Lorain, Lake, Portage, Belmont, Wayne, Harrison, Ross, Morgan, Henry, Van Wert, Miami, Clarke, Crawford, Madison, Delaware, Fairfield, Putnam, Coshocton, Holmes, Marion, Summit, Fayette, Scioto, Stark, Brown,

Jefferson, Warren, Athens, Preble, Allen, Paulding, Defiance, Ottawa, Sandusky, Morrow, Montgomery, Medina, Auglaize, Erie, Green, Clermont, Champaign, Butler, Washington, Shelby, Williams, Noble and Perry are hereby authorized to appropriate out of the county funds of said counties a sum not exceeding one thousand dollars; provided, that the commissioners of Franklin, Union and Wood counties may appropriate not to exceed two thousand dollars for the purpose provided in this bill, and that the commissioners of Pickaway county may appropriate two thousand [dollars] to be expended for the purpose of erecting a public building upon the grounds in Columbus, and making an exhibit as provided in this bill, to be used by said commissioners for the purpose of defraying the necessary expenses of making an agricultural and other displays at the Ohio centennial exposition to be held at Columbus, Ohio, commencing September 4, 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem of the Senate.

Passed April 16, 1888.

[House Bill No. 771].

AN ACT

To authorize the trustees of Benton township, Paulding county, to issue bonds and purchase and repair grounds for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Benton township are hereby authorized to issue and sell the bonds of said township in any amount not exceeding one thousand dollars. The bonds shall be issued and sold as provided for by law. The proceeds of the sale of said bonds shall be used for the purpose of purchasing and placing in proper condition grounds for cemetery purposes. The said trustees are authorized to assess on the tax duplicate of said township, in addition to that now authorized by law, a sufficient amount to pay the interest and principal of said bonds as the same may become due and payable. Said bonds shall be issued for not longer than five years, and shall not draw a greater rate of interest than six per cent. per annum, payable semi-annually.

SECTION 2. This act shall take effect on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 686].

AN ACT

Authorizing the city of Columbus to construct a sewer under the Columbus feeder of the Ohio canal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the proper authorities of the city of Columbus shall have authority and permission to construct an intercepting sewer to cross and under the Columbus feeder of the Ohio canal in such manner as not to interfere with the use of said feeder, and at such point as may be selected by said authorities of the city of Columbus and approved by the board of public works; and the board of public works shall cause the water to be withdrawn from said feeder for such reasonable length of time as may be necessary for the proper construction of said sewer to cross under said feeder, and at such times and under such regulations as may be designated by the said board of public works.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 757.]

AN ACT

To authorize the council of the city of Warren, Trumbull county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Warren, Trumbull county, Ohio, be and are hereby authorized, by resolution, to transfer from the debt fund of said city not more than three thousand dollars to the general fund of said city, and to transfer in like manner not more than eight hundred dollars from the police fund of said city to the sanitary fund of said city, and to transfer in like manner not more than two hundred dollars from the police fund of said city to the public ground fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 767].

AN ACT

To authorize the commissioners of Muskingum county, to appropriate money for the purpose of constructing a tunnel.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Muskingum county, Ohio, be and are hereby authorized and empowered to appropriate money out of the bridge or county fund for the purpose of constructing a tunnel from Chap's run, east to the Muskingum river in the seventh ward of the city of Zanesville, Ohio.

SECTION 2. This act shall be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 761].

AN ACT

To authorize the council of the incorporated village of New Madison, Darke county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Madison, Darke county, Ohio, be and the same is hereby authorized and empowered to make the following transfers from the general revenue fund in said village, to-wit: fifty ($50.00) dollars to the sanitary fund; five hundred ($500.00) dollars to the street repair fund; two hundred and fifty ($250.00) dollars to the lighting fund; one hundred ($100.00) dollars to the marshal and police fund; and two hundred ($200.00) dollars to the fire department fund.

SECTION 2. This act shall be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 764].

AN ACT

To authorize the council of the village of Logan, Hocking county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Logan, Hocking county, Ohio, be and is hereby authorized to permanently transfer from the "general expense

fund" to the fire "department fund" of said village, the sum of one thousand dollars ($1,000.00), and from the "marshal and police fund" to the "street improvement fund" of said village, the sum of two hundred dollars ($200.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 762].

AN ACT

To authorize the trustees of Newton township, Trumbull county, to issue bonds for the purpose of purchasing additional grounds for a cemetery for said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the trustees of Newton township, Trumbull county, Ohio, are hereby empowered to borrow money and issue the bonds of said township in any sum or sums not to exceed two thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, for the purpose of purchasing lands in said township to enlarge the cemetery in said township.

SECTION 2. The principal of such bonds shall be payable at such place and at such time, not exceeding ten years from date of issue, as the trustees of said township may determine. Said bonds shall be issued in such sums as the trustees may determine; they shall be signed by the trustees and attested by the township clerk, who shall make a record of the number, date and amount of each bond, and they shall not be sold for less than their par value.

SECTION 3. The trustees shall, before issuing said bonds, submit the question to a vote of the people of said township at any special or general election; notice to be given not less than ten days previous; said notice to be posted in four of the most public places in said township, and be published in at least one newspaper having general circulation in said township, and shall have placed on said ballots the following words: "For issuing bonds for purchasing land for cemetery—Yes;" "For issuing bonds for purchasing land for cemetery—No;" and if a majority of the votes cast shall be in favor of issuing said bonds then the trustees shall proceed under this act and issue said bonds and purchase said land for addition to the cemetery in said township.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 319].

AN ACT

To authorize and empower the board of education of New Lexington school district to lease certain building therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of New Lexington school district, Perry co., Ohio, be and it is hereby authorized and empowered to lease from time to time for periods not exceeding three years, such portion of the school building in said school district as may not be necessary for school purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 333].

AN ACT,

To authorize the council of the village of Adelphia, Ross county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Adelphia, Ross county, be and they are hereby authorized to transfer the sum of one hundred and seventy-five dollars from the marshal and police fund to the general fund of said village.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed in Senate April 16, 1888.

[House Bill No. 689.]

AN ACT

To authorize the city of Columbus to borrow money and issue bonds for sewerage purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Columbus be and they are hereby authorized and empowered to issue the bonds of the city of Columbus, in an amount not exceeding twenty thousand dollars ($20,000), for the purpose

of paying for the cost and expense of constructing a three-foot and two-foot sewer in High, Randolph, Naghten, Pearl, Locust and Hickory streets, and for the extension of the Spring street sewer in said city. Said bonds shall be issued in such denominations not exceeding one thousand dollars ($1,000) each, as the said city council may determine, and shall be payable in twenty years, and redeemable in ten years from their date. All of said bonds shall bear such rate of interest, not exceeding six per cent. per annum, payable annually or semi-annually, as the city council may determine, and said bonds shall in all respects be made and disposed of as provided by law.

SECTION 2. The city council of said city of Columbus shall levy annually, on all the property in said city, a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 146].

AN ACT

Authorizing the city of Columbus to borrow money and issue bonds therefor to pay debts and supply deficiencies in certain funds of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Columbus be and said council is hereby authorized, for the purpose of paying off the floating indebtedness of said city, and of supplying deficiencies in the police and fire department, gas and light funds of said city, to borrow a sum not exceeding eighty-five thousand dollars, and to issue the bonds of said city therefor, in denominations not less than five hundred or more than one thousand dollars each, payable in not less than ten nor more than twenty years from their date, bearing interest at not to exceed the rate of six per cent. per annum, payable semi-annually.

SECTION 2. Of the proceeds of the sale of said bonds there shall be credited to the said funds the following amounts, respectively: To the police fund, forty-two thousand dollars ($42,000); to the fire department fund, twenty thousand dollars ($20,000); to gas and light fund, twenty-three thousand dollars ($23,000); and any surplus arising from the sales of said bonds over and above the amounts so to be credited, shall be paid into the general expense fund of said city.

SECTION 3. The city council of said city of Columbus shall levy annually, on all the property in said city, a tax not to exceed three-tenths

of one mill on the dollar, to pay the accruing interest on such bond[s] and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rates and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 611].

AN ACT

To change the name of Squire Robinson Greer to Searle Robinson Greer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Squire Robinson Greer be changed to that of Searle Robinson Greer.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 751].

AN ACT

To authorize the trustees of Pike township, Fulton county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pike township, Fulton county, Ohio, be and are hereby authorized to transfer two hundred dollars from the bridge fund to the township fund.

SECTION 2. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 562].

AN ACT

To divide the township of Pulaski, in Williams county, Ohio, into two (2) election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Pulaski township, Williams county, Ohio, be and is hereby divided into two (2) election precincts by a line commencing at the east boundary line of said township and running west on the quarter line through sections thirteen, fourteen, fifteen and sixteen, to the west line of said section sixteen; thence south on west line of section sixteen, eighty (80) rods to the center of High street in the village of Bryan, thence west on said High street to the west line of said township. All of said township lying north of said line to be known as north precinct, that south as south precinct.

SECTION 2. This act to take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 527.]

AN ACT

To authorize the board of education of Paulding special school district of Paulding, Paulding county, Ohio, to issue bonds and borrow money to pay outstanding indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Paulding special school district of Paulding, Paulding county, Ohio, are authorized to issue the bonds of said district to the amount of one thousand ($1,000.00) dollars. The same shall not be sold for less than their par value and shall be issued and sold as provided by law. The money obtained from the sale of said bonds shall be used to pay the present indebtedness of the said school district, and the said bonds shall be made to fall due in 1896.

SECTION 2. The said board of education is authorized to levy, in addition to the tax now authorized, such an additional amount on the taxable property of said school district as will pay the interest and principal on said bonds as the same may fall due.

SECTION 3. Provided, however, that the said board of education shall not issue said bonds, borrow the said money or increase the present tax levy to pay the same until the question of borrowing the said money be submitted to the qualified electors of said school district, due notice of which election shall be given by the posting of proper notices or printing in a newspaper of general circulation at least two weeks prior to said election. At the said election the electors favoring the issue of bonds

shall have written or printed on their ballots, the words, "For issue of bonds—Yes;" and those opposed shall have written or printed on their ballots, the words, "For issue of bonds—No." If at said election the majority of electors voting, vote in favor of the issue of bonds, then and only then shall the said board of education have authority to issue the bonds of the said district, borrow money or increase the tax levy to pay the same as before provided for.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 329].

AN ACT

To authorize the commissioners of Crawford county, to transfer funds to the agricultural society from the dog tax fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of paying the indebtedness of the Crawford county agricultural society, incurred in improving the fair grounds occupied by said society and belonging to said county, the commissioners of said county are hereby authorized to transfer to said society not to exceed the sum of two thousand dollars, of the fund arising from the per capita tax on dogs, and authorize the necessary warrant to be drawn therefor in favor of said society, provided there shall remain in such fund a sufficient amount for the payment of all claims, for sheep killed or injured, as required by law; but such society shall use such sum for the purposes above named only; but where such indebtedness is now evidenced by written obligations signed by individuals, the same, for the purposes herein, shall be held to be the indebtedness of said society.

SECTION 2. No such transfer shall be made or warrant issued until the question whether or not the same shall be done is submitted to a vote of the qualified electors of said county at the regular November, A. D. 1888, election, and at such election those favoring such transfer shall have placed on the general ticket voted by them the words, "Transfer of dog tax to agricultural society—Yes"; and those opposed thereto, "Transfer of dog tax to agricultural society—No." And if a majority of the votes cast upon said question is in favor of such transfer, then said commissioners may exercise said powers, otherwise not.

SECTION 3. This act shall take effect upon its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 775].

AN ACT

To authorize the council of the incorporated village of Seville, Medina county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Seville, Medina county, Ohio, be and is hereby authorized and empowered to transfer from the general fund of said village, as follows: to the police fund, three hundred dollars; to the fire department fund, one hundred and ten dollars; to the bridge and sidewalk fund, seventy-five dollars; to the street fund, seventy-five dollars; to the lighting fund, one hundred and ten dollars.

SECTION 2. This act to take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 16, 1888.

[House Bill No. 729].

AN ACT

To amend section five of an act entitled "an act to amend an act entitled 'an act to enable the commissioners of Montgomery and Warren counties to purchase toll-roads and convert the same into free roads,'" passed and took effect May 10, 1878, and amended March 27, 1884, and March 28, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section five of the above entitled act, as amended March 27, 1884, and March 28, 1888, be amended so as to read as follows:

SEC. 5. For the purpose of paying the bonds named in this act, and interest thereon, the county commissioners are authorized and empowered to annually levy, upon the grand duplicate of the county, an amount which, in their opinion, may be sufficient for the payment of said bonds and interest thereon; and for the purpose of keeping said roads in repair, the county commissioners are authorized and empowered to annually levy upon the grand duplicate of the county an amount sufficient to keep said roads in repair, which fund shall be known as a special pike fund, and shall be collected as other taxes, and shall be and remain under the control of the county commissioners, and be used and expended by them in keeping and maintaining said roads in repair.

SECTION 2. That said original section five, as amended March 27, 1884, and March 28, 1888, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed April 16, 1888.

[House Bill No. 750].

AN ACT

To supplement an act entitled an act creating the office of secret service and prescribing his duties in Hamilton county, passed April 6, A. D. 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted supplementary to the act above recited, with sectional numbering as follows:

SEC. 1*a*. That in counties containing a city of the first grade of the first class that when a secret service officer may or shall be appointed the judges of the court of common pleas within and for such county shall have the power to remove for cause which in the opinion of such judges may be sufficient any such secret service officer so appointed.

SECTION 2. This act shall take effect and be in force on and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 307].

AN ACT

To increase the capacity and efficiency of the electric light plant of the city of Xenia, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of raising money to increase the capacity and efficiency of the electric light plant of the city of Xenia, Greene county, Ohio, the city council of said city is hereby authorized and empowered to issue the bonds of said city in the sum, not to exceed five thousand dollars ($5,000.00), in such denominations as the city council shall deem expedient, payable in twenty years, but redeemable at the option of the city council, at any time after the expiration of five years from their issue, and bearing interest at the rate of not exceeding six per cent. per annum.

SECTION 2. Before such bonds or any of them shall be issued, the question of issuing the same shall be submitted to a vote of the qualified electors of such city, at a general or special election to be held at such time as the council of said city shall appoint, of which notice shall be given in two newspapers published and of general circulation in said city for two weeks prior to said election. Electors who favor issuing said bonds and levying said tax shall have written or printed on their ballots, "Electric light improvement bonds—Yes;" and those electors opposed shall have written or printed on their ballots, "Electric light improvement bonds—No." And if a majority of the votes cast at such election be in favor of such issue of said bonds and the levying of said tax, the

council of said city shall be authorized and empowered to issue said bonds and levy said tax.

SECTION 3. Said bonds shall not be sold at less than their par value, and said city council shall provide by taxation the means to meet the interest and principal of the same, as they become due and payable, provided that the levy for this purpose shall not increase the levy for all purposes beyond the limit prescribed by the general law.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 311].

AN ACT

To amend sections 1 and 4 of an act passed March 28, 1862, entitled "an act to authorize the city of Cleveland to fund certain railroad stocks," as amended January 19, 1882 (79 O. L., p. 54).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1 and 4 of an act passed March 28, 1862, entitled "an act to authorize the city of Cleveland to fund certain railroad stocks," as amended January 19, 1882, be amended so as to read as follows:

SEC. 1. That the city of Cleveland, for the purpose of paying the money borrowed prior to January 19, 1882, and now owing by said city for the erection of water-works, and as the same shall become due, is hereby authorized to create a sinking fund, and for this purpose is hereby empowered to appropriate to such fund all the railroad stocks, shares and bonds, or the proceeds thereof, and any assets growing out of the same, now in the hands of the sinking fund commissioners, now held and owned by said city, and the interest and dividends hereafter to accrue on the same, which funds thus formed, after defraying the necessary expenses of the trust thereby created, shall be set apart exclusively for the payment of the principal of the water-works bonds issued by said city prior to January 19, 1882, and the residue of said fund shall be applied to the payment of the cost and expense of rebuilding any bridge over any navigable stream to an amount not exceeding 85,000 dollars, and any additional fire protection that may be deemed necessary in said city to an amount not exceeding 20,000 dollars, and of the city's part of the cost of repaving the streets, and the residue to the [payment] of the general bonded indebtedness of the city, in conformity with the provisions of article six (6) of the terms of annexation between the city of Cleveland and the city of Ohio, agreed upon by the commissioners of said cities on the fifth day of June, A. D. 1854, and shall be used for no other purpose whatever; and said stocks, shares and bonds, and the accruing interest and dividends on the same so forming said fund, shall be placed in the custody and under the control of five

commissioners hereinafter named, and called the "sinking fund commissioners," whose duty it shall be to take charge, custody and control of the same and manage the same as hereinafter provided.

SEC. 4. Said commissioners, by and with the consent of the council first obtained, shall have power and authority, at any time, to sell and dispose of any of said stock[s], shares and bonds for cash, and to invest the proceeds thereof in other stocks, or in other such manner as they shall consider to be for the interest of the city, and shall, when the aforesaid water-works debt shall become due, or any part thereof, sell such stocks, shares and bonds, or such portion as may be necessary, for cash, and apply the proceeds thereof in payment of the said water-works debt, and shall apply the residue of said stocks, shares and bonds, or the proceeds thereof, to the payment of the cost and expense of rebuilding any bridge over any navigable stream to an amount not exceeding 85,000 dollars, and any additional fire protection that may be deemed necessary in said city to an amount not exceeding 20,000 dollars, and the city's part of the cost of repaving its streets, and the residue to the payment of the general bonded indebtedness of the city, as the council may by ordinance direct, as contemplated by section one of this act.

SECTION 2. That said sections one and four of said act, as amended January 19, 1882, be and the same are hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Bill No. 118].

AN ACT

To authorize the trustees of Reading township, Perry county, Ohio, to issue bonds and levy a tax for the purpose of erecting a township house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Reading township, Perry county, Ohio, are hereby authorized and empowered to issue the bonds of said township in such denominations as they may think advisable, and in the aggregate sum of not exceeding fifteen hundred dollars, payable in one, two and three years, bearing interest at the rate of six per cent. per annum from date of issue, payable semi-annually, for the purpose of purchasing a site and erecting a township house thereon in said township. Said bonds shall be signed by the trustees of said township and county, signed by the clerk thereof, and shall not be sold for less than their par value; and said trustees are hereby authorized and required to levy a tax upon all of the taxable property of said township to pay said bonds and interest as the same become due, and to make return of said levy to the auditor of said

Perry county, to be by him placed on the duplicate of said township and collected as other taxes.

SECTION 2. The question of issuing said bonds, levying said tax and of purchasing said site and erecting said township house, shall be submitted to a vote of the qualified electors of said township at the regular April election, A. D. 1888, at the usual place of holding elections in said township, of which at least ten days' notice shall be given by a publication in a newspaper of general circulation therein; and at such election the ballots to be voted shall have written or printed thereon the words, "Township house—Yes," or "Township house—No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to issue said bonds, make said levy, and purchase said site and erect said township house.

SECTION 3. This act shall take effect on its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[House Bill No. 462].

AN ACT

Supplementary to an act entitled, "an act to authorize the county commissioners of Cuyahoga county to build a monument or memorial tablet commemorative of the deceased soldiers and sailors of said county, and to purchase a site therefor," passed April 2, 1880 (vol. 77, p. 368), as amended April 22, 1885 (vol. 82, p. 368), and to repeal section two (2) of said last mentioned act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is created a board of commissioners, to be called the monumental commissioners of Cuyahoga county, to be composed of twelve persons, who shall be resident electors of said county, and members of the present monumental committee of the Cuyahoga county soldiers' and sailors' union, to be appointed by the governor of the state of Ohio, by and with the consent of the senate, and shall hold their term for five years, or until the monument or structure herein provided for shall be completed, and shall perform the duties and exercise the powers prescribed by this act; and any vacancy occurring in said board shall, at the next annual meeting thereafter of the Cuyahoga county soldiers' and sailors' union, be filled by such union selecting a member having the qualifications herein prescribed, who shall take an oath as prescribed in the next succeeding section.

SECTION 2. That upon the appointment and confirmation of said commissioners, they shall each take an oath to well and truly perform the duties imposed upon them by this act, and shall organize by selecting one of their number as president, another as secretary, and an executive committee of five, of whom the president of said board shall be one, and ex-officio chairman.

SECTION 3. Said board of monument commissioners when duly organized, shall have full power to select a place for the proposed monument, and shall have the exclusive control of the building of said monument, and the plan for the same, and are empowered to have designs and models prepared, and are hereby authorized, if they so determine, to locate the site of such monument on the southeast side of the "public square" so called, at the junction of Superior and Ontario streets in the city of Cleveland, and in case they so determine, the park commissioners of said city are hereby authorized and required on demand in writing by said commissioners, at the expense of said city, to remove the monument of Commodore Perry, now in said southeast corner of said square, to some other square or public park in said city, and all other obstructions therein; but if the said board of monument commissioners do not determine to locate the site for said monument in said southeast square of said public square, they are authorized to purchase or procure any other site for the same within said county.

SECTION 4. Said board of monument commissioners having determined upon a site for said structure as herein authorized, shall determine upon a plan for such monument or structure, and are authorized to contract with the lowest and best responsible bidder, for either the whole or any part of the work, or they may, in their discretion, contract for the same by the day's work or piece; provided, however, the entire cost of the same and any expense of the commissioners, shall not exceed the amount already authorized by this act to be levied for the same, and provided further, that said board of monument commissioners are authorized to receive donations in money and materials for said structure, or time or services of any person or persons, the amount and value of which shall not be computed in the amount of the total cost hereinbefore provided, nor any interest that may be received, but shall be in addition thereto.

SECTION 5. The said board of monument commissioners are also hereby authorized to appropriate for temporary use, at the commencement of and during the progress of their work, any public property of the county of Cuyahoga or of the city of Cleveland, which may at the time be vacant, and to erect temporary structures thereon in which work for the monument can be prepared, and to have heat and light furnished free upon application of said board of commissioners, from any public building of either the said county or city, in ample quantity for such temporary structure which may be contiguous to such public building.

SECTION 6. The county commissioners of Cuyahoga county are hereby authorized and directed, upon the passage of this act, to loan out to the various banks of the city of Cleveland, on approved security and at a rate of interest not less than three per centum per annum, the money collected for the purposes herein mentioned, and to be collected under the levy authorized by this act, and the interest thereon shall be placed to the credit of the fund to be used for the building of said structure, and the auditor of Cuyahoga county is authorized and required to draw a warrant on the treasurer of said county from time to time for the money by said treasurer collected for the purpose herein stated, in order that the said commissioners may invest the same as herein provided; such interest as may be received from such investment, shall not be charged to said commissioners as a part of said original fund, but shall be an additional fund to that received under the several levies as provided by law, and shall be used in the building of the structure herein con-

templated, and such entire fund shall be subject to the drafts of said board of monument commissioners.

SECTION 7. The board of monument commissioners shall have power and are hereby authorized as the work on the monument or structure by them determined upon progresses, to make drafts upon the auditor of said county, to pay for such work done and materials furnished under their direction, such drafts to be signed by a majority of the executive committee of said board, countersigned by its secretary, and upon receiving such drafts said auditor shall draw his warrant upon the treasurer of Cuyahoga county for the amount of such drafts; and the said county commissioners are hereby authorized and required to withdraw any portion of the money invested by them as herein provided, as the work on such structure progresses, and place the same in the county treasury to the credit of the monument fund, and the secretary of said board of monument commissioners is hereby required to give said county commissioners reasonable notice in writing of the intention of said monument commissioners to make drafts on the county auditor for money for such work or material. Upon the completion of the monument or structure the said board of monument commissioners shall turn the same over to the park commissioners of said city or other properly constituted authorities performing like duties, who shall thereafter care for the same and the grounds surrounding, and who shall be empowered to employ an ex-soldier as an attendant and guardian of such monument at a reasonable compensation, and such attendant shall be vested with the ordinary powers of a policeman; and upon the completion of such monument or structure, and after the same shall have been turned over as herein provided, the duties and powers of said board of monument commissioners shall cease, and all balances of the monument fund unexpended after the monument is completed and dedicated shall be turned over to the general fund of Cuyahoga county.

SECTION 8. That section two, as amended April 22, 1885 (vol. 82, O. L., pp. 368 and 369), be and the same is hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

JOINT RESOLUTIONS.

[House Joint Resolution No. 3].

JOINT RESOLUTION

Requesting our senators in the congress of the United States to resist the confirmation of L. Q. C. Lamar as an associate justice of the supreme court.

WHEREAS, There is now a vacancy in the associate justiceship of the supreme court of the United States; therefore,

Be it resolved by the General Assembly of the State of Ohio, That such vacancy should be filled only by a citizen who is an able and learned jurist, one who believes in the integrity of the union, the perpetuation of our national institutions, the binding and inviolable character of the federal constitution, and the validity of all and separate the amendments thereto; one who insists that all qualified electors shall have the right to exercise their franchise freely and honestly, and that no such electors shall be deprived of such right by fraud, violence or terrorism.

Be it further resolved, That L.Q. C. Lamar, by refusing to adopt and be governed by the amendments to the constitution whereby the fruits of the war were made a part of the organic law of the land; by his belief in the doctrine of states' rights; by his defense of Jefferson Davis against the charge of treason; by his acceptance of an office tendered him by virtue of fraud, violence, intimidation, ballot-box stuffing, vote suppression and the goading of the bull whip; by his want of experience in the administration of jurisprudence and knowledge of law, is rendered unfit to be an associate justice of the supreme court, is not in accord with the spirit of our institutions and laws, and we, as the representatives of the patriotic and law-abiding citizens of Ohio, call upon our senators in the congress of the nation, to resist, by every honest means, the confirmation of the nomination of Mr. Lamar for the judicial position named.

Resolved, further, That a copy of these resolutions be, by our governor, forwarded to Senators Sherman and Payne, at Washington.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.

WM. C. LYON,
President of the Senate.

Adopted January 12, 1888.

[Senate Joint Resolution No. 8].

JOINT RESOLUTION

Relating to the tri-weekly adjournments.

Be it resolved by the General Assembly of the State of Ohio, That when the General Assembly adjourns on Friday, January 13th, 1888, and every third Friday thereafter, it shall be to meet at four o'clock p. m. on the following Tuesday.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 18, 1888.

[Senate Joint Resolution No. 4].

JOINT RESOLUTION

Requesting our senators and representatives in congress to favor a law relative to the manufacture and sale of compounded lard.

WHEREAS, Large quantities of adulterated or compounded articles are manufactured and sold in various parts of the United States, as substitutes for pure lard; that these compounds are made up of various ingredients, such as cotton-seed oil, beef and mutton tallow, and in some instances of chemicals, whitened or deodorized grease, thereby injuring the health of the consumers of the same. That the cost of these various ingredients is very much below the cost of pure lard; and that the compounds can be sold at a much lower price per pound, if sold on their actual values, as based on the cost of the ingredients as pure lard. That the sale of these compounds in competition with pure lard, has reached such an extent as nearly to drive pure lard from the home markets. That these compounds are sold under grossly misleading and deceptive brands or labels, such as "Pure refined family lard," &c., and are thereby palmed off upon the consumers as and for pure lard, at a price greatly in excess of their real market value, thereby practicing on the consumers a gigantic commercial fraud, and greatly jeopardizing the continued manufacture and sale of pure lard; therefore be it

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be requested to favor the passage of a law requiring all packages containing compounded lard, to be plainly and unmistakeably labeled, so as to effectually prevent all fraud and deception in the sale thereof, and that the retailer shall be required to make known to the purchaser, that it is compounded, and not pure lard.

ELBERT L. LAMPSON,
Speaker of the House of Representatives
WM. C. LYON,
President of the Senate.

Adopted January 18, 1888.

[House Joint Resolution No. 7].

JOINT RESOLUTION

Relative to lighting the supreme court room, consultation room and law library with electricity.

Be it resolved by the General Assembly of the State of Ohio, That the Columbus Edison Electric Light Company, be and they are hereby authorized to run their wires into the supreme court room, consultation room and law library, the same to be done without cost to the state, and under such reasonable regulations as the adjutant-general may impose; provided, that the light to be furnished said department by said company shall not exceed in price three-fourths of one cent per hour for each light of sixteen candle power that may be used, the same to be ascertained by standard meter of the best manufacturc. Providing that the state may terminate this contract at any time.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 24, 1888.

[Senate Joint Resolution No. 6].

JOINT RESOLUTION

Relating to the improvements of the channels and harbors of the great lakes.

WHEREAS, The already vast and rapidly increasing commerce on the great lakes, imperatively demand enlarged and improved facilities for its accommodation; and

WHEREAS, There has been very great destruction of life and property, and is constant and alarming peril to vessel property, seamen and passengers on these public highways, from lack of public improvement of them; and

WHEREAS, Liberal appropriations are indispensable to the suitable improvement of the entrance to lake Superior, the construction, completion, improvement and maintenance of the harbors at the lake ports of Ohio; and

WHEREAS, The general welfare of the commerce and people of the country demand that these interests be not further neglected; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators be instructed, and our representatives in congress from Ohio be urgently requested to use every lawful effort in their power to secure from congress such action and such appropriations as will effect a needed and prompt improvement of the channels and harbors on the great lakes and especially of the harbors at our lake ports in Ohio.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 24, 1888.

[House Joint Resolution No. 11].

JOINT RESOLUTION

To authorize the binding of 600 copies of the adjutant-general's report.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and is hereby directed to cause to be bound in cloth, six hundred (600) copies of the annual report of the adjutant-general of the state for the year 1887.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 26, 1888.

[House Joint Resolution No. 4].

JOINT RESOLUTION

Requesting our senators and representatives in the U. S. congress to oppose any reduction of the wool tariff.

Resolved by the General Assembly of the State of Ohio, First, That we recognize in sheep husbandry one of the most important industries of our state and country, one that almost every farmer is directly interested in and without which our country cannot be independent, and that we do, therefore, view with apprehension and alarm all propositions and measures to abolish or reduce the tariff duties now levied for its protection, and respectfully request our senators and representatives in congress to oppose the same.

Second, That the governor be requested to transmit a copy of these resolutions to each of our senators and to each of the members of the house of representatives in the congress of the United States, from Ohio.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 26, 1888.

[House Joint Resolution No. 5].

JOINT RESOLUTION.

Requesting our representatives and senators in the congress of the U. S., to oppose certain measures which were suggested in the president's recent message.

Resolved, by the General Assembly of the State of Ohio, First, That we believe in a protective tariff for the sake of protection, to the end that we may have a diversity of employment, domestic commerce, home markets for our farmers, good wages for our laborers, and such development of all

our material resources as will make it possible for us to supply all our wants in both peace and war, and thus be independent as a nation among the nations of the earth.

Second, Under this wise and patriotic policy, inaugurated and steadily upheld and enforced by the Republican party since its advent to power in 1861, we have prospered as no other nation ever did.

Third, We regard the views expressed by his excellency, the president of the United States, in his recent message to congress, in opposition to this policy, as unwise, unjust and unpatriotic, and as calculated, if formulated into law, and given effect, to not only dissipate our surplus revenue, but also paralyze our industries, stop the development of our resources, degrade labor, stagnate and demoralize business, and reduce us to that weak and dependent condition to which the country had been brought by a Democratic free trade policy, when the Republican party was placed in power in 1861.

Fourth, That our senators in congress be instructed, and our representatives be requested to oppose all measures that may be offered for the purpose of giving effect to these views and recommendations of the president.

Fifth, That the governor be requested to forward a copy of these resolutions to each of our senators and representatives from Ohio, in the congress of the United States.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 26, 1888.

[Senate Joint Resolution No. 14].

JOINT RESOLUTION

Authorizing and directing the secretary of state to furnish copy of Revised Statutes to fish and game commissioners.

Resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby authorized and directed to furnish a copy of the Revised Statutes of Ohio to each of the members of the Ohio state fish and game commissioners; provided, that the same shall be furnished from the Revised Statutes now on hand in the office of the secretary of state.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted January 30, 1888.

[House Joint Resolution No. 15].

JOINT RESOLUTION

Requesting our senators and representatives in congress to support senator T. W. Palmer's bill relative to the eradication of contagious pleuro-pneumonia among cattle.

WHEREAS, The danger to the cattle industry of this country from contagious pleuro-pneumonia is so great at to necessitate the most thorough means of eradication of this insidious disease; and

WHEREAS, The bill endorsed by all the cattle breeders' associations, and introduced by senator T. W. Palmer in the United States senate, is the only adequate measure devised for the swift and sure stamping out of this disease; therefore,

Be it resolved, That this general assembly commend this measure, thus endorsed by the cattle growers of America, and request our senators and representatives in congress to give said bill their support.

Resolved, That the governor be requested to transmit a copy of these preambles and resolutions to each of our senators and representatives in congress.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 1, 1888.

[House Joint Resolution No. 14].

JOINT RESOLUTION

Requesting congress to pass senate bill No. 1206, fiftieth congress, first session, to equalize the bounties of soldiers, sailors and marines of the late war for the Union.

WHEREAS, Unjust discrimination was used in granting and payment of bounties by the United States government to the volunteer soldiers, sailors and marines of the late war for the Union.

WHEREAS, There are many soldiers, sailors and marines suffering at this time from said unjust discrimination; therefore,

Be it resolved by the General Assembly of the State of Ohio, That it is the sense of this general assembly, that congress should, at the earliest possible opportunity pass the above named senate bill No. 1206, popularly known as the "Logan" bill, and recently re-introduced by senator Plumb of Kansas.

Resolved, That the governor be requested to forward to each of our senators and representatives in congress a copy of these resolutions.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 1, 1888.

[Senate Joint Resolution No. 7].

JOINT RESOLUTION

Instructing our senators and requesting our representatives in congress to use all honorable means to secure the passage of S. 913.

[WHEREAS, There is pending in the congress of the United States a bill "To grant arrears of pensions in certain cases," as follows:

50TH CONGRESS, First Session, } S. 913.

To grant arrears of pensions in certain cases.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, all persons on the pension rolls of the United States who are drawing pensions on account of loss of limb or limbs, shall be entitled to receive arrears of pensions from date of discharge or disability, and covering all the time up to the passage of the act or acts, authorizing the issuance of their last pension certificate, at the same rate per month to which that certificate entitles them; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators in congress are instructed, and our representatives in congress are requested to use all honorable means to secure the passage of such bill, and that the governor be requested to forward a copy of this resolution to each of our senators and representatives in congress.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 1, 1888.

[Senate Joint Resolution No. 16].

JOINT RESOLUTION

Relating to the appointment of a joint committee to consider and report upon the legislation recommended by the governor in his message in providing a complete record, etc., of the Virginia military district.

Resolved by the General Assembly of the State of Ohio, That a committee of three on the part of the senate, and three on the part of the house be appointed to consider and report upon the legislation recommended in the following portion of the last annual message of the governor, to-wit:

By the act of March 16, 1887, entitled "An act to provide a complete and correct record of the entries, plats and surveys of the Virginia military district for the auditor of state's office," the governor, attorney-general and auditor of state were empowered to contract with Samuel Kendrick, late deputy surveyor, etc., for correcting, transcribing, binding and

completing the records, entries, plats and surveys and other records of the lands contained in the Virginia military district of Ohio, now in the office of the auditor of state; provided said officers shall first be satisfied that the said Kendrick has the means and power as such surveyor, to make such corrections valid in law. The act also appropriates five thousand dollars to defray the expenses to be so incurred. The officials named have had several interviews with Mr. Kendrick, but they have not yet made any contract with him. The reason they have not done so is they have found the records referred to in such condition as to make it impossible, in their judgment, to do all that should be done for less than a sum so much larger than the amount appropriated, that they do not feel authorized to incur the obligation. They were of the opinion that it was useless to do anything unless more could be done than appeared to have been contemplated by the statute. They concluded, therefore, before taking action, to again refer the matter to you with the recommendation that you may make provision for the whole of the work that should be done. Some of the most important of our land records are in such a dilapidated condition that it is almost impossible to longer use them. You should therefore give this matter prompt attention.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 1, 1888.

[Senate Joint Resolution No. 18].

JOINT RESOLUTION

Relating to the printing of one thousand copies of the second annual report of the trustees of soldiers' and sailors' home.

Resolved by the General Assembly of the State of Ohio, That one thousand copies of the second annual report of the board of trustees, soldiers' and sailors' home, be printed in advance of other matter.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 9, 1888.

[Senate Joint Resolution No. 13],

JOINT RESOLUTION

Relative to requesting our senators and representatives in congress to do all possible for the passage of senate bill No. 260.

WHEREAS, There has been introduced in the senate of the United States a bill (No. 260) "to reimburse the several states for interest paid on war loans, and for other purposes;" therefore,

Be it resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be and they are hereby requested to vote for and urge the passage of the same, and that the governor forward a copy of this resolution to each of our senators and representatives in congress.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 9, 1888.

[Senate Joint Resolution No. 21].

JOINT RESOLUTION

Relating to the repeal of so much of joint resolutions No. 13, adopted March 31, 1886, and No. 39, adopted February 8, 1887, referring to the date of the centennial celebration at Marietta, and for a change of same.

WHEREAS, Civil government was established in the north-west territory, at Marietta, Ohio, under the ordinance of 1787, by governor St. Clair, July 15th, 1788, where it is now proposed to held a contennial celebration in commemoration of that historic event, July 15, 1888:

Be it resolved by the General Assembly of the State of Ohio, That so much of the joint resolutions No. 13, adopted March 31, 1886, and No. 39, adopted February 8th, 1887, referring to the date of the centennial celebration at Marietta, Ohio, be and is hereby repealed, and the date of July 15, 1888, be substituted for April 7th, 1888, and otherwise these resolutions shall remain in full force and effect.

Resolved, Second, That the governor is hereby requested to transmit to the executives of each of the states of Indiana, Illinois, Michigan and Wisconsin, copies of this joint resolution.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted February 9, 1888.

[House Joint Resolution No. 12].

JOINT RESOLUTION

Relative to the control and expenditure of funds appropriated by congress for agricultural experiment station in Ohio.

WHEREAS, The congress of the United States of America has passed an act, approved March 2, 1887, to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto; and,

WHEREAS, Said act of congress, approved March 2, 1887, provides that in states having colleges entitled to the benefits of this act, and having also agricultural experiment stations established by law, separate from said colleges, such states shall be authorized to apply such benefits to experiments at stations so established by such states; and,

WHEREAS, The state of Ohio, by an act passed April 17, 1882, and by acts supplementary thereto, has established an agricultural experiment station separate from the college established in this state under the provisions of said act of congress, approved July 2, 1862, and of the acts supplementary thereto; therefore,

Resolved by the General Assembly of the State of Ohio, That the annual appropriations provided for by said act of congress, approved March 2, 1887, be and are hereby applied to the use of the Ohio agricultural experiment station, and shall be controlled and expended by the board of control of said station.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted February 10, 1888.

[House Joint Resolution No. 8].

JOINT RESOLUTION

Requesting congress to pass a law granting a pension to every honorably discharged Union soldier who was confined in rebel prisons, and the payment of an additional $2.00 per day for every day so imprisoned.

Resolved by the General Assembly of the State of Ohio, That the senate and house of representatives of the United States are requested by the 68th general assembly of the state of Ohio, to pass a law providing that all honorably discharged Union soldiers of the late war who were confined in rebel prisons, be placed on the pension rolls of the United States, at not less than twelve dollars per month, and that they receive the sum of two dollars per day for the time they were so imprisoned.

Resolved, That the governor of the state of Ohio forward a copy of this resolution to the senate and house of representatives.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted February 10, 1888.

[Senate Joint Resolution No. 22].

JOINT RESOLUTION

Relating to the insanity of Elizabeth R. Steele, and requiring and authorizing the superintendent of the Dayton asylum to retain said patient.

WHEREAS, Elizabeth R. Steele, an insane person now confined in the Dayton asylum for the insane; and,

WHEREAS, Her husband and family reside at New Burlington, Clinton county, Ohio, about 18 miles from the Dayton asylum, so convenient that her husband and family can visit her and return to their home the same day; and,

WHEREAS, By a law passed March 21st, 1887, this patient, with all others from Clinton county, will be removed to the Athens asylum for the insane, a distance of about 150 miles from the family home, which will render it impossible for the husband to visit his afflicted wife, he being a poor man and nearly blind; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the superintendent of the Dayton asylum be and he is hereby authorized and required to retain the said Elizabeth R. Steele in the said asylum for the insane at Dayton.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted February 15, 1888.

[Senate Joint Resolution No. 28].

JOINT RESOLUTION

Relating to Mrs. Alice Curley, a patient in the Columbus asylum for the insane, and authorizing and requiring the superintendent to retain said patient in the Columbus asylum.

WHEREAS, Mrs. Alice Curley, of Champaign county, is now a patient in the Columbus insane hospital, where she has been under treatment for insanity; and,

WHEREAS, By the law, Champaign county has been transferred to the Dayton asylum district; and,

WHEREAS, The relatives of the said patient reside near Columbus, and will be greatly inconvenienced by the transfer of the said patient to Dayton; therefore,

Resolved by the General Assembly of the State of Ohio, That the superintendent of the Columbus insane asylum, be and he is hereby authorized and required to retain the said patient under his care and treatment.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted February 15, 1888.

[Senate Joint Resolution No. 20].

JOINT RESOLUTION

Relating to an estimate and survey of the Muskingum river and Ohio canal from Zanesville to Cleveland, for the purpose of ascertaining the practicability of having them made into a ship canal.

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be and they are hereby respectfully and earnestly requested to take such action as will result in the passage of a resolution directing to be made an estimate and survey of the Muskingum river, from the city of Zanesville to the Ohio canal, and from thence to the city of Cleveland, Ohio, for the purpose of ascertaining the practicability of having it made into a ship canal, connecting the Ohio river and the lakes.

Resolved, That the governor be requested to transmit a copy of the foregoing resolution to each of our senators and representatives in congress.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted February 15, 1888.

[House Joint Resolution No. 18].

JOINT RESOLUTION

Authorizing the secretary of state to sell certain public documents herein named.

WHEREAS, There are several car-loads of old public documents and department reports in the vaults in the basement of the state house, which are valuable only as waste paper; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state having said documents and reports in charge is hereby directed and authorized to sell the same and pay the money arising from said sale into the treasury of state.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted February 23, 1888.

[Senate Joint Resolution No. 28].

JOINT RESOLUTION

Relative to the appointment of seven commissioners by the governor for the Marietta centennial.

WHEREAS, Civil government under the ordinance of 1787 was established in the Northwest territory by the inauguration of governor St. Clair at Marietta, Ohio, on July 15, 1788, when the said governor, judges and secretary of the territory entered upon their official duties;

WHEREAS, It is proposed to commemorate that historical event by a suitable centennial celebration at Marietta conducted by a "committee of one hundred" citizens of that place; and,

WHEREAS, By senate joint resolution No. 21, adopted February 9, 1888, the 15th day of July, 1888, was fixed as the date for the commencement of such celebration:

Be it resolved by the General Assembly of the State of Ohio, That the governor is authorized and instructed to appoint seven commissioners, who shall immediately upon their appointment enter upon their duties and shall serve without compensation, to co-operate with said "commmittee of one hundred" and especially to have in charge the collection of historical matter in connection with such centennial, and the event it is to celebrate, for use in such commemoration, and to report the same on or before November 15, 1888, together with a full and complete account of such celebration to the governor for the use of the general assembly and the bureau of statistics, and to perform such other duties as may be assigned them.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 2, 1888.

[Senate Joint Resolution No. 27].

JOINT RESOLUTION

Authorizing and requiring the superintendent of the Cleveland asylum to retain the patients Webster Wiedman and Howard H. Roper.

WHEREAS, Webster Wiedman and Howard H. Roper are now patients in the Cleveland insane asylum, where they are under treatment for insanity; and

WHEREAS, By law Stark county has been transferred to the Toledo asylum district; and

WHEREAS, The relatives of the said patients reside near Cleveland and will be greatly inconvenienced by the transfer of said patients to Toledo; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of the Cleveland insane asylum be and he is hereby authorized to retain the said patients under his care and treatment.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 6, 1888.

[Senate Joint Resolution No. 24].

JOINT RESOLUTION

Requesting the governor to extend an invitation to the executives and people of states of Pennsylvania, West Virginia and Kentucky, to participate in the centennial celebrations.

WHEREAS, In pursuance of S. J. R. No. 21, passed February 9, 1888, the governor is requested to transmit copies of said joint resolution to the executives of the states of Indiana, Illinois, Michigan and Wisconsin; and,

WHEREAS, The early settlers of the "territory northwest of the river of Ohio" chiefly came from our sister states, Pennsylvania, West Virginia and Kentucky; and,

WHEREAS, The people of said states of Pennsylvania, West Virginia and Kentucky have, in common, a historical interest in the great struggle for the acquisition of the territory northwest of the Ohio river, by conquest from the British crown, with the people of the states now comprising said territory; and,

WHEREAS, Believing it to be the earnest wish of the people of Ohio that the people of our sister states, Pennsylvania, West Virginia and Kentucky, should unite with the people of Ohio, Indiana, Illinois, Michigan and Wisconsin in the social celebration of these events at Marietta, Ohio, July 15, 1888, and also in the industrial and educational exposition at the capital in the autumn of the same year; [t]herefore, be it

Resolved by the General Assembly of the State of Ohio, That the governor is hereby requested to transmit to the executives of each of the states of Pennsylvania, West Virginia and Kentucky, copies of this and all other joint resolutions passed by this or any other general assembly of Ohio relating to said event, in such manner and with such greetings and formal invitations as he may deem proper.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 8, 1888.

House Joint Resolution No. 28].

JOINT RESOLUTION

Relative to the admission of Abram Givens to the Cleveland asylum for the insane.

WHEREAS, Abram Givens, a native of Conneaut, Ashtabula county, Ohio, became insane in the state of Michigan many years ago, and whereas he returned to the state of Ohio about the year A. D. 1880, and whereas he has been adjudged insane by the probate court of said county of Ashtabula, and whereas he cannot be received into any asylum under the laws of the state of Ohio on account of his having become insane in another state, and whereas his being at large was deemed dangerous to others, and whereas he is now confined in the infirmary of said county of Ashtabula; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of the Cleveland asylum for the insane be and he is hereby authorized to receive said Abram Givens into said asylum for treatment, and the probate judge of said county of Ashtabula is authorized to issue a warrant to the superintendent of said infirmary to convey the said Abram Givens to said asylum.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 9, 1888.

[House Joint Resolution No. 22].

JOINT RESOLUTION

To provide for a separate passage way into the south gallery of the house of representatives.

Resolved by the General Assembly of the State of Ohio, That the adjutant-general of the state be and he is hereby directed to partition off so much of the east side of the present office of the clerk of the supreme court, and make such changes therein as shall be necessary for a passage way from the hall north of said office to the stairway leading to the south gallery of the house of representatives; provided, that such improvement shall be made without material defacement or injury to the present structure, and in so far as may be, said improvement shall be as temporary and inexpensive as will provide such passage way to said gallery without passing through said clerk's office.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 9, 1888.

[House Joint Resolution No. 28].

JOINT RESOLUTION

Relative to the rebuilding of the Symmes creek dam and asking congress to appropriate sufficient money to restore navigation on the Muskingum river between Zanesville and Dresden.

WHEREAS, The slackwater navigation of the Muskingum river from Zanesville to Dresden is suspended by reason of the destruction by floods of the dam on said river known as the Symmes creek dam; and

WHEREAS, If the said Symmes creek dam were rebuilt, navigable connection would there be re-established with the Ohio canal at Dresden, thus giving the population of the country tributary of these water-ways extended facilities for shipment of produce and freights at cheaper rates than now exist; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a copy of this resolution be forwarded to the congress of the United States, asking that the general government during the present winter appropriate a sufficient sum of money to restore navigation on the Muskingum river between Zanesville and Dresden.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 9, 1888.

[House Joint Resolution No. 30].

JOINT RESOLUTION

Requesting the superintendent of the soldiers' and sailors' orphans' home to make certain reports herein named.

WHEREAS, Reports are currently circulated that there are now seven hundred applications for admission of the orphans of Ohio soldiers and sailors into the Ohio soldiers' and sailors' orphans' home, in excess of the present accommodations of that institution.

WHEREAS, This report has been circulated among and acted upon by loyal legion and grand army posts, and printed resolutions adopted and sent to members of the general assembly demanding that "this cause of reproach" shall be removed.

WHEREAS, It is but justice to this general assembly that such information should be officially communicated to it rather than circulated for effect to other persons and organizations; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of the Ohio soldiers' and sailors' orphans' home be and he is hereby required to furnish at the earliest possible time, to this general assembly a complete list of all the applications now on file at said home for the admission of applicants, giving the name, age, sex and residence of the applicant and the date when application was filed; the name of the father and the regiment he served in; the number of such applicants that

have been admitted to the home or have been provided for in the children's homes of the state, or have been provided for in families. Also the average number of inmates who yearly arrive at the age of discharge, and the number of applications for admission made within the past year.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 15, 1888.

[House Joint Resolution No. 36].

JOINT RESOLUTION.

Relative to the claims of John Q. Winterstein.

WHEREAS, The name of John Q. Winterstein, 2nd Lt. 183 Ohio Vol., was unintentionally left out in H. B. No. 197, in the claims allowed by military claims commission; and,

WHEREAS, By an act passed February 21st, 1888, there is found a surplus of $84.60, and as that is the exact amount due John Q. Winterstein, and as his claim was allowed by military claims commission; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the auditor of state be and is hereby authorized to draw his order on the treasurer of state in favor of John Q. Winterstein, for eighty-four dollars and sixty cents ($84.60), as provided for by an act passed February 21st, 1888.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted March 21, 1888.

[House Joint Resolution No. 34].

JOINT RESOLUTION

Instructing the adjutant-general to furnish the executive council of the G. A. R., all tents belonging to the state for use of encampment.

WHEREAS, The national encampment of the grand army of the republic will be held in Columbus during the second week in September, 1888; and,

WHEREAS, the Ohio national guard will be in camp in this city during the first week of September; therefore,

Resolved by the General Assembly of the State of Ohio, That the adjutant-general is hereby instructed and required to furnish to the executive council of the G. A. R., all the tents that belong to the state for the use of said encampment.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 23, 1888.

[Senate Joint Resolution No. 19].

JOINT RESOLUTION

To authorize the payment of the expenses of the inauguration of gov. J. B. Foraker.

Be it resolved by the General Assembly of the State of Ohio, That out of any money in the general revenue fund not otherwise appropriated the sum of ($416.74) four hundred and sixteen 74-100 dollars be appropriated to pay the expenses incurred in the inauguration of the governor on January 9th, 1888, and that the auditor of state be and is hereby authorized to issue his warrant on the state treasurer for said amount payable to W. Y. Miles (chairman) when the bills for such expense duly approved by the committee on inauguration are presented to him.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted in Senate March 24, 1888.

[Senate Joint Resolution No. 25].

JOINT RESOLUTION

Relative to appointment of joint committee to investigate so-called "trusts" or "pools."

WHEREAS, Combinations commonly termed "trusts" or "pools" have been and are being formed in various branches of business throughout the country, with the assumed purpose of maintaining uniformly remunerative prices, by absorbing or controlling competitive interests; and

WHEREAS, It is apparent that through such combinations salutary competition may be destroyed, prices of commodities unduly enhanced, wages of employes unjustly depressed, and power acquired that may be so used as to endanger the best interests of both government and people; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a joint committee, consisting of two members of the senate and three of the house of representatives, be appointed to make a thorough examination of the subject mentioned in the foregoing preamble, and report to this general assembly, at its adjourned session, the facts ascertained and the legislation deemed necessary in the premises to protect the interests of the people of this state.

Resolved, That said committee may, in the discharge of their duties hereby imposed, exercise such authority as is granted to committees of either house of the general assembly.

Resolved, That said committee shall serve without compensation, but all reasonable expense incurred in the discharge of its duties shall be paid, and that its sessions shall be held at the city of Columbus; but it may, if deemed necessary, visit other cities of the state.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Passed March 24, 1888.

[Senate Joint Resolution No. 26].

JOINT RESOLUTION

Relative to appointment of joint committee to investigate the question of taxation.

WHEREAS, There is a manifest need of and demand for a revision of our present system of taxation; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a joint committee, consisting of two members of the senate and three members of the house of representatives, be appointed to make a thorough examination of the subject mentioned in the foregoing preamble, and to report to this general assembly, at its adjourned session, the facts ascertained, and the legislation deemed necessary in the premises.

Resolved, That said committee may, in the discharge of the duties hereby imposed, exercise such authority as is granted to committees of either house of the general assembly.

Resolved, That said committee shall serve without compensation, but all reasonable expenses incurred in the discharge of its duties shall be paid, and that its sessions shall be held at the city of Columbus; but it may, if deemed necessary, visit other cities of the state.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 24, 1888.

[House Joint Resolution No. 48].

JOINT RESOLUTION

To authorize the superintendent of the Columbus asylum for the insane to receive Wilson Stewart into that institution.

WHEREAS, Wilson Stewart, of Muskingum county, Ohio, is insane; and

WHEREAS, Said Wilson Stewart, by removal to the state of Kansas, last year, lost his residence in the state of Ohio, and it is desired that he be admitted to the Columbus asylum for the insane; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of said asylum be and is hereby authorized and required to receive said Wilson Stewart as an inmate of the same.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 24, 1888.

[House Joint Resolution No. 27].

JOINT RESOLUTION

Authorizing an appropriation to fit up rooms for use of deputy warden and family in the penitentiary.

WHEREAS, The duties of the deputy warden of the Ohio penitentiary require his presence at that institution constantly, during the day and also during the night, in the absence of the warden, and that his residence should be as near the institution as possible; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the seco nd story of the building now used as a store house, under the direction of the steward of the penitentiary, shall be fitted up under the direction of the board of managers, for the purpose of furnishing a residence including lights for the deputy warden and his family.

Resolved, That there be appropriated a sum not exceeding two hundred dollars, out of any sum in the general revenue fund not otherwise appropriated, for the purpose of carrying out the provisions of this resolution.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 27, 1888.

[House Joint Resolution No. 10].

JOINT RESOLUTION

Relative to leasing East reservoir for purposes of pleasure.

Resolved by the General Assembly of the State of Ohio, That the board of public works be and it is hereby authorized and instructed to let and lease, in accordance with an act of the general assembly, passed May 8, 1886 (vol. 83, O. L., page 118), for a term not exceeding ten years, the following described property, being a body or block of water belonging to the state of Ohio, and located partly in Coventry and partly in Green townships, county of Summit and state of Ohio, and more particularly known as East reservoir. The same to be let and leased to the highest bidder for the purpose of pleasure, boating, fishing and hunting, but in no case shall the same be let for less than one hundred dollars per annum. Nothing herein, nor in any lease so made by said board, shall be so construed as to prevent any person fishing in said waters with hook and line, nor to prevent any person keeping a boat thereon for his individual use. But under no circumstances shall the state of Ohio be liable for damages by virtue of such lease.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 30, 1888.

[House Joint Resolution No. 45].

JOINT RESOLUTION.

Authorizing the adjutant-general to loan arms, tents, &c., for certain purposes therein named.

WHEREAS, The survivors of the 36th, 91st and 173rd regiments, O. V. I., 7th O. V. C., 1st O. H. A. and 4th W. Va. V. I. will meet in re-union at Gallipolis, Gallia county, Ohio, on the 8th and 9th of August, 1888; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general of the state is hereby instructed and authorized to loan to the executive committee, for the above named occasion, two pieces of artillery, complete, one hundred stands of arms and accoutrements, and one hundred tents; provided, the same are in his possession, and to accord said committee such other assistance and privileges as shall not materially conflict with the preservation of public property of the state; provided, said property shall be taken and returned without expense to the state of Ohio.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 30, 1888.

[House Joint Resolution No. 21].

JOINT RESOLUTION

Empowering the board of public works to give a rebate in tolls equal to $200 to any person building and operating a boat of not less than 60 tons of capacity, on the canals of this state.

WHEREAS, Owing to the inadequate number of boats on the canals of the state to do the freighting thereon; and

WHEREAS, If the number of boats were increased sufficiently to do all the freighting that would be done on said canals in consequence of economy in cost of transportation, the state's revenues derived therefrom would be greatly increased; therefore,

Resolved by the General Assembly of the State of Ohio, That the board of public works be and they are hereby authorized to grant a rebate in tolls, equal to $200.00, to any person building and operating a new canal boat of not less than 60 tons of capacity, on any of the canals of the state; provided, however, that such rebates shall be taken from the first tolls earned by any such boat.

Parties desiring to build a boat under this resolution must first file notice thereof with the board of public works, and such boat, when built, shall be subject to the acceptance and approval of said board, in order to obtain said rebate.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted March 30, 1888.

[Senate Joint Resolution No. 35].

JOINT RESOLUTION

Relating to the repairing of the statuette of the late gen. U. S. Grant.

WHEREAS, The group of statuettes wrought on the front of the column supporting the head statue of the late president Lincoln is a work of great merit, of life-like expressiveness, of surpassing grace, beauty, and of great public interest and value; and

WHEREAS, By some person and means unknown, the hand representing that of our illustrious countryman, the late general Ulysses S. Grant, extended to receive the scroll containing the terms of surrender of the forfeited [fortified?] city of Vicksburg, in the late civil war, has been mutilated; therefore,

Resolved, by the Senate and House of Representatives, That the adjutant-general of the state of Ohio be and is hereby authorized to select a sculp-

tor to restore the hand so mutilated, at an expense not exceeding one hundred dollars, and that the said services of said sculptor be paid out of any funds in the state treasury not otherwise appropriated.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 3, 1888.

[House Joint Resolution No. 47].

JOINT RESOLUTION

Instructing the secretary of state to return the enrolled copy of H. B. No. 442.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby instructed to return to the house of representatives H. B. No. 442, for correct enrollment.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 4, 1888.

[House Joint Resolution No. 41].

JOINT RESOLUTION.

Authorizing the auditor of state to issue his warrant or warrants upon the treasurer of state for sums herein named.

WHEREAS, Upon the 15th day of February, 1887, the following joint resolution was adopted by the general assembly.

Resolved by the General Assembly of the State of Ohio, That in view of the facts communicated by the governor of the state in special message respecting the recent attempted assassination of captain Haehn and detective Hulligan, of the Cleveland police force, at Ravenna, on a public transportation line, while engaged in the execution of a state process, issuing from the governor's office, the governor be and he is hereby requested and authorized to offer in behalf of the state, for the arrest and conviction of the parties engaged in said murderous assault, a reward of five thousand dollars ($5,000), or a reward of one thousand dollars ($1,000) for the arrest and conviction of any one of said parties; and

WHEREAS, J. B. Foraker, governor of the state of Ohio, in pursuance of the provisions of the foregoing joint resolution, did, on behalf and in the name of the state of Ohio, on the 15th day of February, 1887, offer a reward of five thousand dollars ($5,000) for the arrest and conviction of Harry McMunn and the four men who rescued him from the custody of captain Haehn and detective Hulligan, on board a train of cars en route

from Pittsburgh to Cleveland, over the Cleveland and Pittsburgh railroad, at or near Ravenna, Portgage county, Ohio, on the morning of the 4th day of February, 1887, or in lieu of said aggregate sum of five thousand dollars ($5,000), did, like manner, agree to pay a reward of one thousand dollars ($1,000) for the arrest and conviction of any one of said parties; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the auditor of state, upon the approval of the governor, be and he is hereby authorized to issue his warrant or warrants upon the treasurer of state for said sum of five thousand dollars, or such part or parts of said sum, in favor of such person or persons as the attorney-general may find, with the approval of the governor, to be entitled to receive the same, which finding, approval and allowance shall be final and conclusive.

Resolved, That the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue fund, to be paid out as provided in this resolution.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 4, 1888.

[Senate Joint Resolution No. 33].

JOINT RESOLUTION

Rescinding resolution providing for tri-weekly adjournments.

Resolved, That S. J. R. No. 8, providing for tri-weekly adjournments, be and the same is hereby rescinded.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 6, 1888.

[House Joint Resolution No. 37].

JOINT RESOLUTION

Recommending and requiring the board of public works of Ohio to settle with Seth McBride for lumber furnished for the repair of the Lewistown reservoir in 1884.

WHEREAS, In the year 1884, Seth McBride, by contract with Wm. Jackson, furnished 100,185 ft. of oak lumber for which he was to receive fifteen dollars per thousand.

WHEREAS, In September, 1884, he had furnished 73,500 feet of said lumber, for which said Jackson settled with him and paid for; and

WHEREAS, In October, 1884, he furnished to the state of Ohio, on the embankment of the Lewistown reservoir, under said contract, 26,685 feet of lumber for which he was to receive fifteen dollars per thousand, making $400.28, which amount is still due from the state of Ohio to said Seth McBride, and unpaid; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the board of public works are hereby recommended and required, within ninety days after the adoption of this resolution, to settle with said McBride for the balance of $400.28, with interest thereon from the first day of November, 1884; said amount to be paid out of the earnings of the Miami and Erie canal.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 10, 1888.

[House Joint Resolution No. 32].

JOINT RESOLUTION

Relative to distributing the reports of the Ohio penitentiary.

Be it resolved by the General Assembly of the State of Ohio, That four hundred and thirty copies of the last issue of the report of the warden and directors of the penitentiary, which are now soon to be distributed to the members of the 68th general assembly, be delivered by the supervisor of public printing to the board of managers of the penitentiary for distribution.

NOAH H. ALBAUGH,
Speaker pro tem. of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 10, 1888.

[House Joint Resolution No. 48].

JOINT RESOLUTION

To authorize the printing of 2,000 copies of Senate Bill No. 40.

Resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby directed to cause to be printed for the use of the members of the general assembly 2,000 copies of senate bill No. 40, entitled, "an act to amend sections 1448 as amended March 8, 1886, and 1531 as amended April 15, 1881, of the Revised Statutes.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 10, 1888.

[House Joint Resolution No. 50].

JOINT RESOLUTION

Relative to the adjournment of the present session of the 68th General Assembly.

Resolved by the General Assembly of the State of Ohio, That the present session of the 68th General Assembly adjourn on Monday, April 16th, at 3 o'clock p. m., to meet again on Tuesday, January 8, 1889, at four o'clock p. m.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 14, 1888.

[House Joint Resolution No. 25].

JOINT RESOLUTION

Relative to the appointment of a centennial reception committee.

WHEREAS, The general assembly, at its last session, by a joint resolution, extended through her governor special invitations to the states framed out of the north-west territory, asking them to take part in the centennial exposition and celebration of the organization of such territory.

WHEREAS, Those states and others of the states of the Union, by action of their legislative assemblies, have indicated their purpose to take part in such celebration and exposition, and have appointed honorable commissioners composed of governors, state officials and members of thei legislative assemblies to represent them on the occasion; therefore,

Be it resolved by the General Assembly of the State of Ohio, That in order to show our appreciation of this recognition of our centennial celebration and exposition by our sister states, and show proper respect to the distinguished guests who will come on this friendly mission as the representatives of those and other states, or as the representatives of the general government, there be and is hereby created a commission to be composed of three members of the senate, six members of the house of representatives, the governor, and lieutenant-governor of the state, and the speaker of the house of representatives, to be known as the state centennial reception commission, whose duties it shall be to properly receive, welcome and care for all national and state officials and others coming in such representative character to the expositions and celebrations at either Cincinnati, Columbus or Marietta.

Resolved, That there is hereby appropriated, out of any money in the state treasury not otherwise appropriated the sum of five thousand dollars ($5,000), or as much thereof as may be actually required for the

purpose of paying the expenses incurred by such commission in carrying out the purposes of this joint resolution, to be paid on the certificate of the secretary of the commission, and said commission shall keep an account of all sums expended and make a report of such expenditures to the general assembly at its next session.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 14, 1888.

[House Joint Resolution No. 19].

JOINT RESOLUTION

Rescinding senate joint resolution No. 94, adopted May 4, 1885 (82 Ohio Laws, 452), and authorizing the governor to appoint a commissioner for Ohio to prosecute certain claims against the general government, and to revoke an appointment of such commissioner hitherto made.

Resolved by the General Assembly of the State of Ohio, That senate joint resolution No. 94, adopted by the general assembly of the state of Ohio on the 4th day of May, 1885, (82 Ohio Laws, 452), be and the same is hereby rescinded and repealed; that the governor of this state be and he is hereby authorized and empowered to cancel and revoke any appointment of commissioner heretofore made under said resolution of May 4, 1885; and the governor is further authorized and empowered to appoint a commissioner, and to contract with him to act for and on behalf of the state of Ohio, in the adjustment and settlement of all claims of this state against the general government, arising out of any grants of swamp lands or other lands, or for indemnity therefor, or for any interest in any lands sold or located by the general government within the state of Ohio, or by said general government authorized to be located within said state; that it shall be the duty of such commissioner to obtain for the state scrip and patents for all lands belonging to this state not heretofore patented, and to locate the same to the best interests of the state of Ohio; to make a record of all swamp lands within the state of Ohio, within such time as the governor shall direct after his appointment, and file the same with the auditor of state; to adjust, settle and collect for the state all moneys due the state from the general government for lands sold or located within the state by such general government or its agents, or the indemnity due therefor; to perfect and secure to the state of Ohio title to all marsh or overflowed lands which by right belong to the state; to sell the same in such manner and upon such terms as the governor may direct; and to perform such other duties in relation to claims of the state against the general government, or as to lands belonging to the state, as the governor may direct; that the commissioner shall receive no salary or compensation for his services, except a percentage or share of moneys or other property recovered or secured to the state by him, the amount of such percentage or share to be fixed by the governor in his con-

tract with said commissioner, not exceeding in amount the percentage or share allowed the commissioners of other states for like services, and to be in full of all compensation allowed said commissioner for his services and expenses as such commissioner; that all moneys collected by said commissioner shall be by him paid over to the governor of the state of Ohio; and that all actions by him brought shall be brought and conducted in the name of the state of Ohio; that said commissioner be required to report to the governor within six months from the date of his appointment and within six months thereafter, showing his proceedings and progress under the authority in him vested.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 14, 1888.

[Senate Joint Resolution No. 42].

JOINT RESOLUTION

Relative to sending for persons and papers by the committee appointed under S. J. R. No. 25.

Resolved by the General Assembly of the State of Ohio, That the joint committee appointed in pursuance of the provisions of senate joint resolution No. 25, adopted March 24, 1888, be and is hereby authorized in the discharge of the duties imposed by said resolution to send for persons and papers.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed in Senate April 16, 1888.

[House Joint Resolution No. 20].

JOINT RESOLUTION

Instructing the board of public works of Ohio to construct a culvert under the Miami and Erie canal in Salem township, Auglaize county, over Prairie creek.

WHEREAS, Large tracts of land along the Miami and Erie canal in Salem and Logan townships, Auglaize county, Ohio, have been rendered unfit for cultivation on account of insufficient drainage due to the incapacity of the culvert under said canal for the drainage of Prairie creek; and

WHEREAS, The chief engineer of the board of public works has ex-

amined said culvert and recommends that there be an additional culvert constructed over said Prairie creek, and his estimate of the cost of said culvert is sixty-four ($6,400.00) hundred dollars; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the board of public works are hereby authorized to put in a culvert under the Miami and Erie canal over Prairie creek, in Salem township, Auglaize county, Ohio, at a cost not to exceed sixty-four (($6,400.00) hundred dollars, the same to be paid for out of any funds now to the credit of the Miami and Erie canal or that may hereafter be placed to its credit.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted April 16, 1888.

[House Joint Resolution No. 51].

JOINT RESOLUTION

Relative to the propriety of removing the Ohio penitentiary.

WHEREAS, The general assembly of the state of Ohio did, on the 14th day of April, 1884, enact a law providing for the establishment of an intermediate penitentiary, and in pursuance of said law a site was secured in the city of Mansfield, Ohio, and the erection of a suitable building thereon commenced; and

WHEREAS, The said general assembly did, on the 4th day of May, 1885, enact a law providing for the release on parole of a certain class of prisoners in the penitentiary;

WHEREAS, Under the operation of said law, the number of prisoners have been so reduced in said penitentiary as to render the proposed intermediate penitentiary provided for in the act of April 14th, 1884, of doubtful necessity:

Be it resolved by the General Assembly of the State of Ohio, That there shall be a joint committee appointed by the presiding officers of the respective houses, consisting of three members on the part of the house and three members on the part of the senate, to inquire into the expediency of selling the penitentiary buildings and grounds in the city of Columbus, Ohio, and removing said institution to the city of Mansfield, Ohio, and report their findings to the general assembly at the adjourned session, on or before the third Wednesday of January, 1889, and said committee shall serve without compensation further than their actual expenses, if any such expenses are incurred.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted April 16, 1888.

[Senate Joint Resolution No. 40].

JOINT RESOLUTION

To create a committee to prepare amendments to the constitution of the state of Ohio.

WHEREAS, It is generally conceded that a number of the articles of the present constitution of this state ought to be revised, so as to adapt them to the existing conditions of our population and development; and,

WHEREAS, It is believed that such necessary revision can be secured without resorting to a constitutional convention; therefore, be it

Resolved by the General Assembly of the State of Ohio, That a joint committee, to be composed of four senators and five representatives, be appointed to gather information and formulate such amendments to the present constitution of Ohio as may be deemed requisite, and report such amendments to the adjourned session in January, A. D. 1889, for consideration by this general assembly. Such joint committee is hereby authorized and empowered to sit after the adjournment of the general assembly at its present regular session, and to employ a clerk or stenographer, or both. All necessary expenses of the members of said joint committee, and the compensation of such clerk or stenographer, or both, to be paid on the order of the chairman of said committee. All resolutions relating to constitutional amendments, introduced in either house, of the present regular session, shall be referred to the joint committee herein provided for.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Adopted April 16, 1888.

[Senate Joint Resolution No. 44].

JOINT RESOLUTION

Relative to the erection of a monument at Fort Recovery, Mercer county, Ohio.

WHEREAS, In 1791, at Fort Recovery, Mercer county, Ohio, nine hundred soldiers of the government, from various states, patriotically and heroically perished in battle with the Indians, under General Arthur St. Clair, and are buried there without monument or other structure to mark their historic death and their resting place; therefore,

Resolved by the General Assembly of the State of Ohio, That our representatives in congress are instructed, and our senators in congress are requested, to provide, by law, for the erection of a suitable monument, to be placed at or near the battle-field at Fort Recovery, Mercer county, Ohio, where said soldiers in the line of duty met their heroic death in defending civilization in the north-west, and their efforts to establish civil liberty in government for coming millions.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

[Senate Joint Resolution No. 89].

JOINT RESOLUTION

Relative to authorizing the commissioner of railroads and telegraphs to cause certain railroad maps to be printed.

Be it resolved by the General Assembly of the State of Ohio, That in addition to the three thousand railroad maps of Ohio, authorized by section 63, Revised Statutes, to be printed, the commissioner of railroads and telegraphs be and he is hereby authorized to have seven thousand additional maps printed. One thousand of which shall be mounted on pasteboard, and one thousand in pocket edition; provided, that in the judgment of the commissioner they are required, and that the total cost shall not exceed seven hundred dollars, and that the same be paid out of the printing fund; and provided further, that of the seven thousand additional maps, each member shall receive twelve copies, and the remainder shall be distributed by the commissioner.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

APPENDIX.

[Senate Bill No. 171].*

AN ACT

To amend section 7153 of the Revised Statutes of the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7153 of the Revised Statutes be amended to read as follows:

SEC. 7153. If the witness so required to enter into a recognizance refuse to comply with such order, the magistrate shall commit him to jail until he complies with such order, or is otherwise discharged according to law; but in no case shall such witness be confined in association with prisoners charged with crime.

SECTION 2. That section 7153 of the Revised Statutes be and the same is hereby repealed.

SECTION 3. This act shall be in force after its passage.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
THEO. F. DAVIS,
President pro tem. of the Senate.

Passed April 16, 1888.

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*S. B. 171 was regularly passed, enrolled, signed and filed in the office of the secretary of state, but by accident it was filed with the joint resolutions and not with the general acts. After the latter had been printed, and whilst the printing of the local acts was in progress, this fact was discovered, and it was then thought best to print it at the close of the volume. Hence its appearance here out of its regular order.

State of Ohio, Office of the Secretary of State, ss:

I, J. S. Robinson, as Secretary of State of the State of Ohio, do hereby certify that the foregoing acts and joint resolutions were printed under and by the authority of the General Assembly of said State, and that the same are true copies, copied from the original rolls on file in this office, of the acts passed and the joint resolutions adopted by the Sixty-eighth General Assembly of the State of Ohio, at its regular session, begun and held in the city of Columbus, January 2, 1888, and ended April 16, 1888.

WITNESS my signature and the Great Seal of the State of Ohio, at Columbus, the 9th day of June, A. D. 1888.

[GREAT SEAL OF OHIO]

J. S. ROBINSON,
Secretary of State.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS IN OHIO IN 1888.

Counties.	County Seats.	Circuits.	Circuit Courts.	Districts.	Sub-divisions.	Common Pleas Courts.
Adams	West Union	4	April 11, Nov. 15	5	1	Jan. 3, April 10, Sept. 4.
Allen	Lima	3	June 4, Dec. 3	3	1	Jan. 23, April 30, Oct. 8.
Ashland	Ashland	5	April 17, Nov. 6	6	2	March 5, Sept. 17, Dec. 3.
Ashtabula	Jefferson	7	March 13, Oct. 16	9	3	Jan. 9, April 2, Oct. 29.
Athens	Athens	4	Feb. 1, Oct. 1	7	3	Feb. 13, May 14, Oct. 8.
Auglaize	Wapakoneta	3	May 28, Nov. 26	3	1	Jan. 3, April 9, Sept. 10.
Belmont	St. Clairsville	7	June 19, Dec. 11	8	2	Feb. 28, May 22, Nov. 7.
Brown	Georgetown	4	April 17, Nov. 19	5	1	Feb. 7, May 8, Oct. 9.
Butler	Hamilton	1	April 9, Oct. 8	2	1	Jan. 9, May 7, Oct. 8.
Carroll	Carrollton	7	Feb. 7, Sept. 26	9	1	Jan. 9, May 28, Nov. 12.
Champaign	Urbana	2	April 16, Oct. 29	2	2	Jan. 16, May 7, Oct. 8.
Clarke	Springfield	2	May 21, Dec. 6	2	3	Jan. 16, May 7, Oct. 8.
Clermont	Batavia	1	April 3, Oct. 1	5	1	Jan. 31, May 1, Nov. 13.
Clinton	Wilmington	1	May 7, Oct. 29	2	3	Jan. 9, May 14, Oct. 1.
Columbiana	New Lisbon	7	Jan. 24, Sept. 20	9	1	Feb. 6, May 7, Oct. 15.
Coshocton	Coshocton	5	May 1, Nov. 27	6	3	Jan. 17, April 3, Sept. 10.
Crawford	Bucyrus	3	March 6, Oct. 9	10	2	Jan. 2, April 2, Sept. 10.
Cuyahoga	Cleveland	8	Jan. 10, Oct. 18	4	3	Jan. 3, April 3, Sept. 24.
Darke	Greenville	2	April 23, Nov. 12	2	1	Jan. 9, May 14, Oct. 8.
Defiance	Defiance	3	Jan. 17, Sept. 11	3	2	Feb. 6, April 30, Oct. 8.
Delaware	Delaware	5	May 29, Dec. 18	6	1	Jan. 9, April 9, Sept. 24.
Erie	Sandusky City	6	Feb. 14, Oct. 23	4	1	Feb. 13, May 7, Oct. 22.
Fairfield	Lancaster	5	Jan. 10, Sept. 11	7	1	Jan. 23, April 16, Oct. 27.
Fayette	Washington C.H.	3	May 7, Nov. 26	5	2	Feb. 27, June 11, Nov. 19.
Franklin	Columbus	2	Jan. 3, Sept. 10	5	3	Jan. 9, April 9, Sept. 17.
Fulton	Wauseon	6	April 3, Nov. 30	3	3	March 5, June 11, Nov. 26.
Gallia	Gallipolis	4	March 6, Oct. 22	7	3	Jan. 2, April 3, Sept. 4.
Geauga	Chardon	7	March 6, Oct. 2	9	3	Jan. 9, April 2, Oct. 29.
Greene	Xenia	2	March 19, Oct. 1	2	3	Jan. 16, May 7, Oct. 15.
Guernsey	Cambridge	7	June 8, Dec. 6	8	1	Feb. 7, April 24, Oct. 17
Hamilton	Cincinnati	1	Jan. 3, Nov. 12	1		Jan. 2, Apr. 2, July 2, Oct. 1
Hancock	Findlay	3	Feb. 21, Oct. 2	10	1	Feb. 27, May 21, Oct. 29.
Hardin	Kenton	3	May 8, Dec. 11	10	1	Jan. 16, April 23, Sept. 24.
Harrison	Cadiz	7	May 29, Nov. 27	8	3	Jan. 3, April 3, Sept. 11.
Henry	Napoleon	3	March 27, Nov. 14	3	3	Jan. 10, April 3, Sept. 18.
Highland	Hillsborough	4	May 1, Nov. 26	5	2	Jan. 9, April 23, Oct. 8.
Hocking	Logan	4	Feb. 13, Oct. 8	7	1	Feb. 27, May 28, Nov. 30.
Holmes	Millersburg	5	April 24, Nov. 20	6	3	Feb. 20, May 7, Nov. 19.
Huron	Norwalk	6	March 5, Nov. 8	4	1	Feb. 13, May 7, Oct. 29.
Jackson	Jackson	4	June 1, Dec. 17	7	2	Feb. 20, May 14, Nov. 12.
Jefferson	Steubenville	7	May 22, Nov. 20	8	3	Jan. 10, April 10, Sept. 18.
Knox	Mt. Vernon	5	March 6, Oct. 16	6	1	Feb. 6, May 7, Nov. 12.
Lake	Painesville	7	Feb. 14, Oct. 4	9	3	March 5, May 21, Nov. 26.
Lawrence	Ironton	4	March 13, Oct. 29	7	2	Feb. 20, May 14, Nov. 24.
Licking	Newark	5	March 13, Oct. 23	6	1	Jan. 9, April 9, Sept. 24.
Logan	Bellefontaine	3	March 13, Oct. 23	10	3	Jan. 16, April 9, Sept. 17.
Lorain	Elyria	8	May 15, Oct. 2	4	2	Feb. 1, June 4, Oct. 24.
Lucas	Toledo	6	April 9, Sept. 10	4	1	Jan. 2, April 3, Sept. 24.
Madison	London	2	March 29, Oct. 8	5	3	Feb. 23, May 29, Nov. 7.
Mahoning	Youngstown	7	April 10, Oct. 23	9	2	Jan. 9, May 7, Sept. 17.
Marion	Marion	3	Jan. 31, Sept. 19	10	2	Jan. 30, May 7, Oct. 15.
Medina	Medina	8	May 29, Oct. 16	4	2	Jan. 2, May 2, Sept. 10.
Meigs	Pomeroy	4	Feb. 28, Oct. 17	7	3	Jan. 10, April 17, Sept. 11,
Mercer	Celina	3	May 21, Oct. 15	3	1	March 5, May 28, Nov. 12.
Miami	Troy	2	April 3, Oct. 15	2	2	Jan. 16, May 7, Oct. 1.
Monroe	Woodsfield	4	April 4, Sept. 20	8	2	Jan. 31, April 24, Oct. 2.
Montgomery	Dayton	2	June 4, Dec. 13	2	2	Jan. 9, May 7, Oct. 8.
Morgan	McConnelsville	5	April 10, Nov. 14	8	1	March 7, May 31, Sept 26.
Morrow	Mt. Gilead	5	May 22, Dec 11	6	2	Jan. 23, April 23, Oct. 29.
Muskingum	Zanesville	5	March 27, Oct. 30	8	1	Jan. 3, April 9, Oct. 15.
Noble	Caldwell	7	June 5, Dec. 4	8	1	Jan. 3, April 3, Sept. 25.
Ottawa	Port Clinton	6	June 5, Dec. 4	4	1	Jan. 16, April 9, Sept. 22.
Paulding	Paulding	3	May 15, Nov. 12	3	2	Jan. 10, April 2, Sept. 10.
Perry	New Lexington	5	May 15, Sept. 19	7	1	Jan. 3, May 21, Oct. 1.
Pickaway	Circleville	4	May 8, Nov. 30	5	3	Jan. 3, April 17, Sept. 18.
Pike	Waverly	4	May 23, Dec. 12	7	2	Jan. 30, April 23, Oct. 8.
Portage	Ravenna	7	April 3, Nov. 7	9	2	Jan. 9, May 7, Sept. 17.
Preble	Eaton	2	May 1, Nov. 20	2	1	Feb. 6, June 4, Nov. 26.

TIMES OF HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS, ETC.—Continued.

Counties.	County Seats.	Circuits.	Circuit Courts.	Districts.	Sub-division.	Common Pleas Courts.
Putnam	Ottawa	3	April 10, Nov. 20	3	3	Feb. 6, May 7, Oct. 22.
Richland	Mansfield	5	Jan. 17, Sept. 25	6	2	April 3, Sept. 3, Dec. 3.
Ross	Chillicothe	4	May 14, Dec. 6	5	2	Jan. 9, April 23, Oct. 8.
Sandusky	Fremont	6	March 19, Nov. 19	4	1	Jan. 4, March 26, Sept. 10.
Scioto	Portsmouth	4	March 21, Nov. 9	7	2	Jan. 9, April 3, Sept. 17.
Seneca	Tiffin	3	April 17, Dec 18	10	1	Jan. 16, April 9, Sept. 17.
Shelby	Sidney	2	April 12, Oct. 24	3	1	Jan. 3, March 19, Sept. 10.
Stark	Canton	5	Feb. 14, Oct. 9	9	1	Jan. 9, May 7, Oct. 1.
Summit	Akron	8	April 17, Sept. 19	4	2	Jan. 3, May 15, Sept. 3.
Trumbull	Warren	7	May 1, Nov. 12	9	2	Feb. 13, May 28, Oct. 15.
Tuscarawas	NewPhiladelphia	5	May 8, Dec. 4	8	3	Feb. 7, May 1, Oct. 2.
Union	Marysville	3	Feb. 7, Sept. 25	10	3	Feb. 27, May 21, Oct. 19.
Van Wert	Van Wert	3	March 20, Oct. 17	3	1	Jan. 30, April 30, Oct. 8.
Vinton	McArthur	4	Feb 20, Oct. 12	7	2	Jan. 9, April 3, Sept. 10.
Warren	Lebanon	1	April 30, Oct. 22	2	3	Jan. 16, May 7, Oct. 1.
Washington	Marietta	4	Jan. 24, Sept. 24	7		Feb. 6, May 7, Oct. 8.
Wayne	Wooster	5	Jan. 31, Oct. 2	6	3	March 6, Sept. 11, Nov. 27.
Williams	Bryan	6	June 25, Dec. 17	3	2	March 5, June 4, Nov. 12.
Wood	Bowling Green	6	June 18, Dec. 10	10	1	Mar. 5, May 28, Nov. 12.
Wyandot	Upper Sandusky	3	Feb. 14, Sept. 27	10	2	Feb. 27, June 4, Nov. 12.

THE STATE OF OHIO,

OFFICE OF THE SECRETARY OF STATE.

I, J. S. ROBINSON, as Secretary of State of the State of Ohio, do hereby certify that the foregoing is a correct statement of the times of holding the Circuit Courts and Courts of Common Pleas in the several counties of the State of Ohio, in the year 1868, taken from the official lists returned by the judges of said courts to this office, as amended by acts of the Sixty-eighth General Assembly, passed at its regular session.

WITNESS my hand and official seal, this 9th day of June, A. D. 1868.

[SEAL.]

J. S. ROBINSON,

Secretary of State.

INDEX TO GENERAL ACTS.

PAGE

ABBOTT, J. S. & CO.—
appropriation 347

ACCIDENT INSURANCE—
may be transacted by life insurance companies 119
obtaining money fraudulently from companies 119

ACCIDENTS—(See *Inspector of Workshops.*)

ACKNOWLEDGMENT—
fees of notary public for taking 87

ACTION—(See *Civil Procedure.*)

ADDITION—
contracts for to public building, &c. 218-223

ADDITIONAL JUDGE—
election of common pleas judge in first sub-division, sixth district 29
" " " " " " second " ninth " 101
" " " " " " first " eighth " 214

ADJUTANT-GENERAL—(See *State House and Grounds; Ohio National Guard.*)
appropriations 9, 109, 307, 842
distribution and sale of volumes of soldiers' roster 24-25
printing of his report 62
printing and distribution of reports of Gettysburg memorial commission . . . 186-7
expenses state board of pardons 189

ADMINISTRATORS—(See *Executors.*)

ADULTERATION—
act relative to sale and use of adulterated dairy products 74
prosecution for adulteration of food, drink, drugs, &c. 144
of vinegar forbidden 259

AFFIDAVIT (See *Notary Public.*)

AGREEMENT OF CONSOLIDATION—
of corporations, fee for filing 81

AGRICULTURAL EXPERIMENT STATION—
appropriations 10, 843
salary of director; expenses of members of board of control 93

AGRICULTURAL FAIR—
sale of intoxicating liquors and keeping of houses of ill-fame near forbidden . 19
improvement and completion of Hamilton county grounds 110

AGRICULTURE—(See *State Board of.*)
appropriations 10, 308

ALCOHOLIC DRINKS—(See *Schools.*)

ALDERMEN—(See *Board of Aldermen.*)

ALLEN COUNTY—(See *Lima.*)
changing time of holding court of common pleas 125

ALTERATIONS—
contracts for in public buildings, &c. 218-223

AMENDMENT—(See *Articles of Incorporation.*)

ANIMALS—(See *Texas Fever; Horses; Stallion; Sheep.*)
prosecutions for cruelty to 144
unlawful deposit of dead animals in certain places 268

ANNEXATION—
of territory lying partly in another county or counties 224

PAGE

APPEALS—
what cases appealable before justice of the peace . . . 31
from probate court in matter of reclaiming unknown banking deposits . . . 66
granting of injunctions . . . 151
in proceedings to change county roads; dismissal of certain . . . 228

APPROPRIATION OF PRIVATE PROPERTY—
for construction of approaches to county bridges . . . 89
by oil, water and natural gas companies . . . 115
purposes for which municipalities may appropriate realty . . . 177, 179
for Cincinnati city hall . . . 216
general assessments for streets, &c., in municipalities . . . 229

APPROPRIATIONS—
for publication of volume 6, economic geology . . . 4
for contingent expenses of house and senate . . . 8
partial . . . 9-17
for support of common schools . . . 17
to pay expenses of defending certain actions . . . 18
to pay certain military claims . . . 27, 28
for relief of 14th regiment, O. N. G. . . . 109
to pay G. W. Thacker . . . 118
for canal survey commission . . . 128
for printing report of Gettysburg memorial commission . . . 137
for expenses of electoral college . . . 142
for school of mines at Ohio state university . . . 156
to reimburse Col. E. J. Ohl . . . 156
reappropriation of certain funds for Gettysburg memorial commission . . . 206
to enlarge culvert under Hocking canal . . . 223
to pay part of principal, and interest on public debt . . . 228
to pay expenses of commissioners of sinking fund . . . 229
to defray expense of collecting direct tax from U. S. . . . 264
for relief of Allen G. Winnie . . . 269
general . . . 307-321, 321-322, 327
for centennial reception commission . . . 326
for fish and game commission . . . 340
for Ohio state board of pardons . . . 340
for legislative investigating committees . . . 340
deficiency . . . 342

ARTICLES OF CONSOLIDATION
of corporations, fee for filing . . . 81

ARTICLES OF INCORPORATION—
fees for filing . . . 80
of certain colleges may be filed with secretary of state and amended . . . 270

ARTIFICIAL DAIRY PRODUCTS—
act regulating the manufacture and sale of . . . 74

ASSESSMENT—(See *Taxation; Insurance.*)

ASSESSOR—
amendments to Dow law . . . 116-118
term and election of . . . 131-132
omission of property from taxation . . . 171

ASSIGNATION—
keeping or letting of houses of forbidden . . . 21, 137

ASSIGNMENT—(See *Lease; Dower; Mortgage.*)

ASYLUM—(See the several Asylums.)
letting of contract for erection of . . . 218-223

ASYLUMS FOR THE INSANE—(See the several Asylums.)
admission and conveyance of patients to . . . 22
discharge of patients from . . . 122-123

ATHENS ASYLUM FOR INSANE
appropriations . . . 14, 16, 314, 346
sale of intoxicating liquors and keeping of houses of ill-fame near forbidden . 19
printing of reports . . . 63
discharge and removal of patients . . . 122-123

ATHLETIC CLUBS— PAGE
may give boxing exhibitions, when 205
ATTORNEY-GENERAL—
appropriations 10, 808, 844
to approve certain vouchers 18
printing of his report 62
to prosecute suits against occupants of canal lands 128
to draw leases of canal lands 129
to audit expenses, Ohio state board of pardons 189
abandonment and sale of Wabash and Erie canal and Six Mile reservoir . 207-209
AUDITOR OF STATE—
appropriations 10, 808, 844
printing of his report 62, 64
official state census of cities 147-148
sale of Wabash and Erie canal and Six Mile reservoir lands 208
fees of state school examiners 330
AVENUE—(See *Cincinnati.*)
BADGE—
unlawfully wearing military 32
BAIL—
in cases of felony 167
commitment of witness to jail in default of recognizance 598
BALLOT—(See *Elections.*)
BANK—
act relative to unknown depositors and deposits 65
investment of funds by savings banks 288
discounts; interest; exchange 288
prohibiting advertisement of capital not paid in 289
BANK CASES—
appropriation to pay expense of defending in U. S. courts 18
BELMONT COUNTY—(See *Flushing.*)
BENEVOLENT INSTITUTIONS—(See the several institutions; *Asylums for the insane.*)
BENEVOLENT SOCIETY—
fee for incorporating 82
BILL OF EXCEPTIONS—
when same must be presented for allowance in civil cases 181
in case of absence of trial judge or judges 181
time of its allowance, signing, filing and record 182
BILL OF EXCHANGE—(See *Negotiable Instruments.*)
BLANKNER, FREDERICK—
appropriations 311, 320, 347
BLANKS—
for Cuyahoga county officers 67-8
BLIND—(See *Ohio Institution for the Blind; Working Home for the Blind; Color Blindness.*)
BOARD OF AGRICULTURE—(See *State Board, etc.*)
BOARD OF ALDERMEN—
Cincinnati and Cleveland 95-6
BOARD OF COUNCILMEN—(See *Municipal Corporations.*)
BOARD OF EDUCATION—(See *Schools.*)
BOARD OF EQUALIZATION—
city boards how constituted and organized; compensation, &c. 178, 328
power of Cincinnati and Cleveland boards as boards of revision 174
BOARD OF EXAMINERS—(See *Schools.*)
BOARD OF HEALTH—(See *State Board of Health; Cleveland.*)
how established and constituted in a municipality 59

PAGE

BOARDING-HOUSE—
conditions under which oleomargarine may be used 75
BOARD OF LADY VISITORS—
soldiers' and sailors' orphans' home 20
BOARD OF PARDONS—(See *Ohio State Board of Pardons.*)
BOARD OF PUBLIC AFFAIRS—(See *Cincinnati.*)
BOARD OF PUBLIC WORKS—(See *Canals.*)
appropriations 10, 309, 344
printing of their report 62
abandonment and sale of the Miami and Erie canal 207
" " " " Six-Mile reservoir 207
enlargement of culvert under Hocking canal 223
authorized to sell land in Chillicothe 324
BOARD OF REVISION—
powers of Cincinnati and Cleveland boards of equalization as 173-174
BOARD OF STATE CHARITIES—
appropriations 10, 309, 344
to advise with board of lady visitors, soldiers' and sailors' orphans' home . . 20
printing of reports 63
BOXING EXHIBITIONS—
public, made unlawful 204
BOYS' INDUSTRIAL SCHOOL—
appropriations 15, 16, 317, 347
sale of intoxicating liquors and keeping of houses of ill-fame near forbidden 19
printing of reports 63
BRAND—
upon goods made by convict labor in other states 92
BRIDGES—
construction of approaches to county 89
purchase and appropriation of materials 89
lighting of bridges 89
duty of township trustees 89-90
report of accidents by builders 100
repair of, in certain counties 164
letting of contracts, &c., by public officers, boards, &c. 218-223
Toledo 253
BRUSH, J. P.—
appropriation for family of 320
BUILDING AND LOAN CORPORATION—
fee for incorporating 82
" filing certificate of increase 82
BUILDINGS—
relative to construction and inspection of in Cincinnati 34-53
report of accidents by builders 100
letting of contracts for public 218-223
relative to construction and inspection of in Cleveland 289-305
BURIAL GROUNDS—(See *Cemeteries.*)
plat of to be filed or recorded 76
exemptions of 76-77
BUTCHER—
unlawful deposit of offal in certain places 268
BUTLER COUNTY—
salary of common pleas judge 97
BUTTER
act to prevent adulteration or deception in sale or use of 74

CANALS— PAGE
commission to establish boundaries and lines of 127-129
to define and protect ownership of state in its canal lands 127-129
leasing of lands not needed for canal purposes 128-129
abandonment and sale of Wabash and Erie canal 207
" " " Six Mile reservoir 207
enlargement of culvert under the Hocking 223
sale of land in Chillicothe 324
CAPITAL STOCK—
sale of shares by township, municipality or county 143
advertising capital stock not subscribed and paid in 183
act regulating the payment of dividends 182
required of fire insurance companies 278
CATTLE See *Texas Fever.*)
CEMETERIES—
authorizing sale of certain cemeteries 7
application of proceeds 8
plat of grounds to be filed or recorded with county recorder 76
powers of an association 76
exemptions of burial grounds 76-7
power of villages to prohibit burials in certain cemeteries 282
CENSUS—
official state of cities 147-148
yearly enumeration of school youth 192
CENTENNIAL EXPOSITIONS—
appropriations 311, 826
CENTRAL ASYLUM FOR THE INSANE—(See *Columbus Asylum, etc.*)
CERTIFICATES—(See *Schools.*)
fees for filing in office of secretary of state 80-83
CERTIFICATES OF ELECTION—
to be forwarded to secretary of state in certain cases 90
CHANGE OF VENUE—
in common pleas court when judge is disqualified 267
CHEESE—
act to prevent adulteration and deception in use or sale of 74
emptying of refuse from factories into rivers, &c. 286
CHILDREN'S HOME—
sale of intoxicating liquors and keeping of houses of ill-fame near forbidden . 19
separation of child under three years of age from its mother 148
children afflicted with certain diseases how disposed of 148
certain children who are eligible to be certified to home 148
temporary care of eligible abandoned and destitute children 149
letting of contract for erection of 218-223
appointment of trustees 266
superintendent, his powers, duties, compensation, &c. 267
appointment of matrons and teachers; suspension of same; their duties . . . 267
Cincinnati orphan asylum 278
CHILLICOTHE—(See *Board of Public Works.*)
CHURCHES—
trustees 166-7
CIDER—
sale of, in townships where liquor traffic is prohibited 56
CIGARETTES—
prohibiting sale of to minors 169
CINCINNATI—(See *Hamilton County.*)
compensation of law librarian, how fixed 3
powers, salary and bond of deputy police clerk 7
act regulating construction of buildings 34-53
act providing for appointment of inspector of buildings 34-45
water supply commission 58

CINCINNATI—Continued. PAGE
disposition of interest on fire commission fund 57
payment of salaries from such fund 57
fire commissioners, authorized to establish new companies 57
issue and sale of bonds 57-8
defining legal residence of electors who are inmates of infirmaries 78
elections, election precincts, registration, &c. 85-86
board of aldermen 95
issue of additional city hall bonds 97, 215
condemnation of avenues within corporate limits 152
improvement of streets with granite 153
trustees of firemen's relief fund 169
president and secretary of board 169
investment of the fund 170
custody of securities 170
board of equalization, how constituted and organized 178, 328
its power as a board of revision 174
issue of additional city hall bonds 215, 97
appropriation of private property 216
excess funds, to be applied to police purposes 224
terms of city officers 225
when and to whom city solicitor shall give opinions 225-6
duties of city solicitor as to suits 249
court constables 261
orphan asylum 278
appropriations for centennial 312, 326
primary elections 337-339
limitation on special assessments 339
board of elections, its organization, general powers and duties 341

CINCINNATI ORPHAN ASYLUM—
act defining and extending the duties of board of managers 278

CIRCUIT COURT—(See *Judiciary.*)
certain judges thereof to hear contests of election of presidential electors . . 26-27
granting of injunctions 151
cases which may be taken out of their order in supreme court 165
suspension of sentence in criminal cases 167
appointment of court constables, their powers, &c. 261

CITIES—(See *Municipal Corporations.*)

CITY BOARD OF EQUALIZATION (See *Board of Equalization.*)

CITY HALL—(See *Cincinnati.*)

CITY SCHOOL EXAMINERS—(See *Schools.*)

CITY SOLICITOR—(See *Municipal Corporations.*)

CIVIL PROCEDURE—
in suits relative to unknown banking depositors and deposits 66-7
contest of will must be made within two years 99
granting of injunctions 151
parties defendant to suits to cancel leases of gas or oil lands 180
presentment of bill of exceptions for allowance; time 181-2
in case of absence of trial judge or judges 181
signing, filing and record 182
change of venue in common pleas court where judge is disqualified 268
when plaintiff must give security for costs in common pleas 306
cash deposit in lieu of security 306
rule as to executors and administrators 307

CLAIMS—(See *War Claims.*)

CLARK COUNTY—(See *Springfield.*)
additional salary of common pleas judge 254

CLERK OF THE COURT OF COMMON PLEAS—(See *Court of Common Pleas.*)
duties and compensation of himself and assistants in Cuyahoga county . . . 69-73
to forward certain certificates of election to secretary of state 90
filing of transcripts of justices 143

PAGE

CLERK OF ELECTION—(See *Elections.*)
CLERK OF HOUSE AND OF SENATE—
appropriation 311
CLERK OF POLICE COURT (See *Police Court.*)
CLERK OF SUPREME COURT—
appropriations 14, 314, 345
quarterly report of fees; amount he may retain 255
CLEVELAND—(See *Cuyahoga County.*)
compensation of law librarian, how fixed 8
powers, salary and bond of deputy police clerk 7
board of health; sanitary police 60
disposition of unclaimed excess of assesssments 74
defining legal residence of electors who are inmates of infirmary 78
elections, election precincts, registration, &c 85-86
board of aldermen 96
appointment of executive officers, and employes of fire department . . . 100, 335
terms, removals, annual leave of absence 100-101, 335
election of superintendent of markets 116
firemen's relief fund 169-170
board of equalization, how constituted and organized 173, 328
its powers as a board of revision 174
act establishing a depositary for public moneys 197-203, 281
terms of city officers 225
when and to whom solicitor shall give opinions 225-6
act regulating the construction of buildings 289-305
act providing for appointment of inspector of buildings 289-305
primary elections 337-339
limitation on special assessments 339
board of elections, its organization, general powers and duties 341
CLEVELAND ASYLUM FOR THE INSANE—
appropriations 14, 16, 315, 346
printing of reports 63
discharge and removal of patients 122-123
CLINTON COUNTY—
repair of roads 162
COAL—(See *Mine.*)
emptying of refuse, &c., into rivers, &c. 286
COLLEGES—
classes and election of trustees of sectarian colleges 140
trustees 166-7
filing of amended articles of incorporation with secretary of state 270-271
COLOR BLINDNESS—
employment by railway companies of persons affected with 58-9
COLUMBUS—(See *Franklin County.*)
elections, election precincts, registrations, &c. 85
unlawful use or occupation of highways by railway companies 113-114
cleaning and sprinkling of, and planting and care of trees in, streets . . . 126-127
Franklin park improvement 138
board of equalization 173-174, 328
issue of water-works bonds 250
establishment of manual training schools 251
appropriations for centennial exposition 312, 326
primary elections 337-339
board of elections, its organization, general powers and duties 341
COLUMBUS ASYLUM FOR THE INSANE—
appropriations 14, 16, 315, 346
sale of intoxicating liquors, and keeping of houses of ill-fame near, forbidden . 19
printing of reports 63
discharge and removal of patients 122-123
COMMISSION—(See *Canals.*)

COMMISSIONER OF COMMON SCHOOLS—(See *State Commissioner.*) PAGE
COMMISSIONER OF LABOR STATISTICS—
appropriations 11, 310
printing of reports 63-4
COMMISSIONER OF RAILROADS AND TELEGRAPHS
appropriations 11, 310, 344
printing of his report 62, 64
COMMISSIONERS—(See *County Commissioners.*)
COMMISSIONERS OF FISHERIES—(See *Fish and Game.*)
COMMISSIONERS OF THE SINKING FUND—
printing of their report 62
authorized to issue bonds to meet deficiencies 168
to fix terms of sale of Wabash and Erie canal and Six Mile reservoir 208
appropriation 229
authorized to borrow money to redeem certain bonds 262
COMMISSIONERS OF STATE LIBRARY—(See *State Library.*)
printing of their report 62
COMMISSIONS—
officers entitled to receive same from governor 90
COMMON CARRIERS (See *Railways and Railway Companies.*)
for what purposes oil, water and natural gas companies are so regarded . . . 115
COMMON SCHOOLS—(See *Schools.*)
COMMUTATIONS OF SENTENCE—(See *Ohio State Board of Pardons.*)
CONFERENCE—(See *College.*)
CONFIRMATION—(See *Redemption.*)
CONSOLIDATION—
of corporations, fees for filing agreements 81
CONSTABLES—
required to serve process issued by notary public 87
terms and election of 131-132
service of notices on township officers elect 192
appointment of court constables, their powers, duties and compensation . . . 261
CONTEST—
of election, of presidential electors 26-27
of will, must be made within two years, except 99
powers of executors, &c., during contest of will 252
CONTRACTS—(See *Public Contracts.*)
CONVEYANCE— See *Acknowledgment.*)
CONVICT—
proceedings when convict becomes insane 191
CONVICT LABOR—
goods made by, in other states, required to be marked 92
selling or having such goods for sale unmarked 92
CORONER—(See *Hamilton County.*)
CORPORATION—(See the several corporations; *Municipal corporations.*)
sale of certain cemeteries and application of proceeds 7-8
appropriation to pay expenses of certain tax cases 18
fees of secretary of state 80
report of accidents by manufacturer 99-100
powers and duties of oil, water and natural gas companies 114-115
kind of business life insurance companies may do 119
obtaining money from insurance company fraudulently 119
trustees of sectarian colleges 140
sale of stocks owned by township, municipality or county 143
first election of trustees of corporation not for profit 166
number of trustees 167
regulating the payment of dividends 182
advertising capital not subscribed and paid in 183
payment of employes twice a month 251

CORPORATION—continued. PAGE
filing of amended articles of incorporation of colleges with secretary of state . 270
fire insurance companies 278
insolvent to give security for costs, when 306
COSTS—
security for, in court of common pleas 306
COUNCIL—(See *Municipal Corporations.*)
COUNTY AUDITOR—(See *Depositary.*)
state reports to be sent in care of, except 64
reclaiming of unknown banking deposits 66
printing, stationery, &c., in Cuyahoga county 67-8
duties and compensation of himself and assistants in Cuyahoga county . . . 69-78
salary of Butler common pleas judge 97
amendments to Dow law 116-118
school lands unsold may be offered again 141
reappraisement 142
payment of costs in certain prosecutions 144-5
township road tax 145-146
relief of indigent soldiers, &c 158-161
repair of roads in certain counties 162
employment of tax inquisitors 170
omission of property from taxation 171
city boards of equalization 173-174
power of auditor of Hamilton county 174
" certain boards as boards of revision 174
taxation of gross premium receipts of foreign insurance companies 183-4
yearly enumeration of school youth 193
annual settlement with treasurer of school fund 194
annual report of the board of education 194, 195
duty as to school statistics 195
bond of clerk of board of county school examiners 195
additional compensation of 216-217
letting of contracts for public buildings, bridges, &c., ... 218-223
time of delivery of duplicate to treasurer 236
assessments for repair of side-walks 265
payment of costs in prosecutions under fish and game laws 285
COUNTY COMMISSIONERS—
reclaiming of unknown banking deposits 66
printing, stationery, &c., in Cuyahoga county 67-8
duties and compensation of county officers and their assistants in Cuyahoga county 69-73
allowance to in Hamilton county for expenses 76
construction of approaches to county bridges 89
purchase and appropriation of materials 89-90
lighting of bridges 89
salary of Butler common pleas judge 97
improvement of Hamilton county fair grounds 110
how right to use highways may be acquired by oil, water and natural gas companies 115
may sell stocks owned by county 143
relief of indigent soldiers, &c., ... 158-161
Western Reserve and Maumee state road 165
employment of tax inquisitors 170
salaries of fish and game wardens 172
letting of contracts for public buildings, bridges, &c., ... 218-223
proceedings on report of viewers in applications to change county roads . . . 227
additional salary of Clark county common pleas judge 254
allowance to for expenses in Franklin county 266
COUNTY INFIRMARY—(See *Infirmary.*)
COUNTY OFFICERS—(See the several officers.)
how commissioned 90

PAGE

COUNTY RECORDER—
duties and compensation of himself and assistants in Cuyahoga county . . . 69-73
recording of gas and oil leases . . . 179
lien of keeper of stallion, how perfected . . . 262
release of mortgage; assignment . . . 284

COUNTY SCHOOL EXAMINERS—(See *Schools.*)

COUNTY SURVEYOR—(See *Surveyor.*)

COUNTY TREASURER—(See *Depositary.*)
unknown banking deposits . . . 66
duties and compensation of himself and assistants in Cuyahoga county . . . 69-73
amendments to Dow law . . . 116-118
payment of costs in certain cases . . . 144
employment of tax inquisitors . . . 170
treasurer of school funds . . . 193
annual settlement with auditor as treasurer of school fund . . . 194
time of delivery of duplicate by auditor . . . 236
receipts for taxes, penalties, &c. . . . 327

COURT OF COMMON PLEAS—(See *Judiciary.*)
compensation of law librarian in Cleveland and Cincinnati . . . 3
concurrent criminal jurisdiction of probate court . . . 4-5, 94, 227
times of holding in Hamilton county . . . 5
power to abate certain criminal resorts . . . 6
time of holding in Shelby county changed . . . 6
sale of certain cemeteries and application of proceeds . . . 7-8
power to abate certain nuisances . . . 19, 21, 137, 205
election of additional judge in first sub-division, sixth district . . . 29
time of holding in Perry county changed . . . 61
appeals in cases relating to claiments of unknown banking deposits . . . 66
salary of judge living in Butler county . . . 97
election of additional judge in second sub-division, ninth district . . . 101
official stenographers for Lucas and Montgomery counties . . . 124
changing time of holding in Allen county . . . 125
time of holding Darke county changed . . . 133
reappraisement of school lands . . . 141-142
filing of transcripts of justices' judgments . . . 143
granting of injunctions . . . 151
soldiers' relief commission . . . 158-161
suspension of sentence in criminal cases . . . 167
admission of defendant to bail in cases of felony . . . 167
assignment of dower out of proceeds of real estate . . . 180
bill of exceptions in civil cases . . . 181
official stenographers . . . 212
relative to election of judge in first sub-division, eighth circuit . . . 214
additional salary of Clark county judge . . . 254
appointment of court constable; their powers, &c. . . . 261
change of venue when judge is disqualified . . . 267
time of holding in Fayette county changed . . . 283
right of judgment debtor to redeem prior to confirmation of sale . . . 283
additional salaries of Franklin common pleas judges . . . 305
when plaintiff must give security for costs . . . 306
cash deposits in lieu of security for costs . . . 306
executors and administrators not required to give security for costs, when . . . 307

COURT CONSTABLES—(See *Constables.*)

COURT HOUSE—
letting of contract for erection of . . . 218-228

CRIMES AND OFFENSES—(See *Criminal Procedure.*)
keeping or letting to be kept, houses as habitual resorts for criminals . . . 6
sale of intoxicating liquors at certain places . . . 19, 30-31, 205
keeping of houses of ill-fame at certain places . . . 19, 137
keeping or letting house of ill-fame, assignation, &c. . . . 21, 137
unlawfully wearing military badge . . . 32
unlawful construction, &c., of buildings in Cincinnati . . . 34-53

CRIMES AND OFFENSES—Continued. PAGE
unlawful sale of intoxicating liquors in townships 56
employment by railway companies of persons affected with color blindness . . 58-9
violation of act relative to unknown banking depositors and deposits 67
" " " " " duties and compensation of Cuyahoga county officers 73
unlawful transportation of certain cattle into the state 84
selling or having goods made by convicts in other states for sale unmarked . . 92
failure of manufacturer to report accidents 100
penalty for failure to block railway frogs, guard-rails, &c. 105
violation by railway engineer of duties at crossings 112-114
unlawful use or occupation of highways by railway companies 112-114
violation of the Dow law 117
fraudulently obtaining money from insurance companies 119
violation of rules governing access to pre-historic parks 122
unlawful killing of fish 157
sale of cigarettes and tobacco to minors 169
penalty for tax omissions 171
advertising capital stock of corporations not subscribed and paid in 183
penalty for violation of the mining laws 187
public sparring or boxing 204-205
failure to give temperance instruction in the public schools 214
failure of corporation to pay wages twice a month 251
manufacturing or selling adulterated vinegar 259
misrepresenting pedigree of stallion 262
unlawful deposit of offal, &c.. in certain places 268
unlawful catching and killing of fish 271
unlawful paayment of dividends by fire insurance companies 274
fraudulent sale of wool 285
emptying of coal refuse, petroleum, &c., in streams 286
unlawful erection of buildings in Cleveland 289-305
unlawful catching or killing of game 322
employment of minors in mines 325
failure of county treasurer to give proper receipts for taxes, penalties, &c. . . 327
selling, &c , horses affected with glanders 335
suffering sheep affected with scab to run at large 336
offenses at primary elections and at conventions 339
CRIMINAL PROCEDURE—(See *Crimes and Offenses*)—
concurrent criminal jurisdiction of probate court 4-5, 94, 227
indictments for sale of intoxicating liquor 56
prosecution for adulteration of food, &c 144
cruelty to animals 144
suspension of sentence in criminal cases 167
bail in cases of felony 167
pardons, reprieves, &c 188
prosecutions under the fish and game laws 285
commitment to jail of witness refusing to give recognizance 598
CROSSINGS—
duty of engineers at railway and road 112-114
CRUELTY TO ANIMALS—
prosecutions for 144
CULVERTS (See *Bridges.*)—
enlargement of culvert under Hocking canal 223
CUYAHOGA COUNTY—
commissioners to fix extra compensation of deputy police clerk 7
printing, stationery, &c., for county officers 67-68
duties and compensation of officers and their assistants 69-73
issue of water pipe bonds in municipalities 112
depositary for public moneys 230-236
time of delivery of duplicate to treasurer by auditor 236
court constables 261
DAIRY AND FOOD COMMISSIONER—(See *Ohio Dairy &c.*)—

PAGE

DAIRY PRODUCTS—
act relative to adulteration and deception in 74
prosecutions for adulteration of 144

DARKE COUNTY—
times of holding common pleas court changed 133

DAYTON—(See *Montgomery County.*)—
authorizing United States to purchase land for public building 33
elections, election precincts, registration, &c 85-86
firemen's relief fund 169
board of equalization 173-174, 328
issue of water-works bonds 255
paving of certain streets 257
primary elections 338-339
board of elections, its general powers and duties 341

DAYTON ASYLUM FOR THE INSANE—
appropriations 14, 16, 316, 346
sale of intoxicating liquors and keeping of houses of ill-fame near forbidden . 19
printing of reports 63
discharge and removal of patients 122-123

DEAD ANIMAL—
unlawful deposit of in certain places 268

DEAF AND DUMB—(See *Institution for &c.*)

DEFICIENCY APPROPRIATIONS—
for state departments and institutions 342

DEBT—(See *Public Debt.*)

DEED—(See *Acknowledgment.*)

DEFAULT JUDGMENT—
before justice of the peace 32

DEPOSITARY—
for public moneys of Cleveland 197-203, 281
" " " Cuyahoga county 230-236
" " " Toledo 237-242
" " " Lucas county 243-249

DEPOSITIONS—(See *Notary Public.*)

DEPOSITORS—
relative to unknown in banks 65

DIRECT TAX—
due from U. S., disposition of when repaid provided for 264
appropriation to pay expenses of collecting 264

DISABILITIES—
of infants, insane persons, &c.. in contest of will 99

DISCHARGE—
of patients from asylums for insane 122-123

DISTRICT PHYSICIANS—
appointment of by boards of health 60

DITCHES—(See *Drainage.*)

DIVIDENDS—
regulating the payment of, by the directors of corporations 182
of fire insurance companies 274

DOREN, DR. G. A.—
appropriation 348

DOWER—
assignment of by heir or his guardian 18
exemption of burial grounds 76-77
widow or widower may elect to be endowed out of the proceeds of real estate 180

DOW LAW—(See *Intoxicating Liquors.*)
amendments to 116-118, 260-261

PAGE

DRAINAGE—
Cincinnati 49-58
maximum of municipal taxes allowable 150

DRUGGIST—
may sell liquor for certain purposes in townships within which sale of intoxicating liquor is prohibited 56

DRUGS—
prosecutions for adulteration of 144

DUCK—(See *Fish and Game.*)

DUPLICATE—(See *County Auditor; County Treasurer; Taxation.*)

EAGAN, P. A.—
appropriation 347

EATING HOUSE—(See *Intoxicating Liquors.*)

ECONOMIC GEOLOGY—
publication and distribution of volume 6 3-4

EDUCATION—(See *Schools; Colleges.*)

ELECTIONS—
vote on issue of railway bonds by Goshen township, Tuscarawas county . . . 28
contest of election of presidential electors 26-27
additional common pleas judge in first sub-division, sixth district 29
special, under township local option law 55
rejection of vote of person who refuses to take oath, or is not a legal voter . 77
legal residence of electors residing in certain infirmaries defined 78
election of officers in municipalities which are without officers 78
elections and election precincts in Cincinnati, Cleveland, Toledo, Columbus and Dayton 85-6
registration, &c., in such cities 85-86
vote on question of issuing Springfield water-works bonds 88
certain certificates to be forwarded to secretary of state 90
Cincinnati and Cleveland board of aldermen 95-6
vote on question of issuing Cincinnati city hall bonds 96
election of additional judge in second sub-division, ninth district 101
vote on question of issuing Springfield street improvement bonds 102
Ironton board of education 108
judges and clerks in municipalities newly divided into wards 104
superintendent of markets in Cleveland 116
of township officers, clerk and treasurer elected in 1888 . . . . . 181, 196
vote on question of issuing Franklin park improvement bonds 139
of trustees for sectarian college 140
appropriation for expenses of electoral college 142
of trustees of corporation not for profit 166
" " firemen's relief fund in certain cities 169
notice to township officers elect 192
declination of a township office 192
additional common pleas judge in first sub-division, eighth district 214
primary elections 338
oath of supervisor 338
choosing of judges and clerks 338
in cities first class, and first and second grades second class . 338
penalties 339
proxies, unlawful in conventions 339
board of in cities of first class and first and second grades, second class . . . 341

ELECTORAL COLLEGE—
appropriation for expenses of 142

EMINENT DOMAIN—(See *Appropriation of Private Property.*)

EMPLOYE—
report of accidents to in work-shops 99
act for protection of railroad employes 105
payment of wages twice a month 251

ENGINEERS—
duty of railway at crossings and over public ways 112-114

PAGE

ENGLISH SPARROWS—
bounty for killing 130
ENUMERATION—(See *Census.*)
ERIE COUNTY—(See *Sandusky.*)
ERROR—(See *Civil Procedure;* also the several courts; *Criminal Procedure.*)
ESTIMATES—
for public improvements 218-223
EXAMINERS—(See *Schools.*)
school for city districts, second class, and village districts 30
teachers' certificates 93
EXAMINING COURT—
commitment to jail of witness refusing to give recognizance 598
EXECUTION—
exemption of burial grounds from 76-77
right of judgment debtor to redeem realty prior to confirmation of sale . . . 283
EXECUTIVE DEPARTMENT—(See *Governor.*)
EXECUTORS AND ADMINISTRATORS—
assignment of dower by guardian or heir 18
out of proceeds of sale of real estate 180
powers of pending contest of will 252
auditing of claims against insolvent estate by commissioners 287
need not give security for costs, when 307
EXEMPTIONS—
of burial grounds... 76-77
EXPLOSIVES—
unlawful killing of fish with 157
EXPOSITIONS—
appropriations for centennial 311-312
EXPRESS COMPANIES—
payment of wages of employes twice a month 251
FACTORIES—(See *Inspector of Workshops.*)
FAIR—(See *Agricultural Fair.*)
FALSE PRETENSE—(See *Fraud.*)
obtaining money from insurance company by 119
FARCY—
act to protect spread of among horses 335
FAYETTE COUNTY—
time of holding common pleas court changed 283
FEEBLE-MINDED YOUTH—(See *Institution for, &c.*)
FEES—(See the names of the several officers)
FELONY—(See *Crimes and Offenses.*)
FIGHTING—
sparring and boxing in public declared unlawful 204
FINES—(See *Penalties.*)
FIRE DEPARTMENT—
Cincinnati—
disposition of interest on fire commission fund 57
establishment of new companies; issue of bonds 57
relief fund 169
Cleveland—
appointment of executive officers and employes 100, 335
terms; removals; annual leave of absence 101, 335
relief fund 169
Dayton—
relief fund 169
FIRE INSURANCE—(See *Insurance.*)

FIRE LIMITS— PAGE
in Cincinnati 37
FISH AND GAME—
printing of report of commissioners 62
its contents; how published 171
unlawful killing of fish with explosives or poisons 157
appointment of wardens; their duties, bonds and compensation 171-173
unlawful pollution of streams 268, 286
unlawful catching and killing of fish 271
" " " " " game 322
final jurisdiction of justices, &c., in prosecutions 285
appropriations for commissioners 320, 340
FLUSHING—
erection of toll gates in 98
FOOD—
prosecutions for adulteration of 144
FOOT ROT—(See *Sheep.*)
FOREIGN INSURANCE COMPANIES—
taxation of their gross premium receipts 183-4
FORESTRY BUREAU—
printing of reports 64
FOURTEENTH REGIMENT—
appropriation for relief of 109
FRANKLIN COUNTY—(See *Columbus.*)
park improvement 138
compensation of jury commissioners 204
court constables— 261
allowance to county commissioners for expenses 266
additional salary of common pleas judges 305
FRAUD—
obtaining money from insurance company by 119
in sale of wool 285
FROG—(See *Railway.*)
GAME—(See *Fish and Game.*)
GAMING—
repeal of statute relating to 99
GAS—(See *Natural Gas.*)
emptying refuse into rivers 286
GENERAL APPROPRIATIONS—
for state departments and institutions 307-321, 321-322, 327
GENERAL ASSEMBLY—
distribution of volume 6, economic geology 4
appropriation for contingent expenses of house and senate 8
partial appropriation 12
distribution of volumes of soldiers' roster 24-25
report of Cincinnati water supply commission 53-4
distribution of reports, maps, messages, inaugural addresses, &c 62-64
reports of Gettysburg memorial commission 136
general appropriation 311
appropriation for Fred Blenkner 311
" " contingent expenses of clerks house and senate 311
" " chief clerks of house and senate 311
" " house and senate contingent fund 311
" " removal of water closets 320
" " legislative investigating committees 340
" " deficiencies 345
GENERAL GOVERNMENT—(See *Direct Tax.*)
GENERAL REVENUE FUND—
issue of bonds to meet deficiencies in 168

PAGE

GEOLOGY—
publication and distribution of volume 6, economic geology 3-4
GERMAN LANGUAGE—
printing of state reports in 64
GETTYSBURG MEMORIAL COMMISSION—
publication of its report 136
reappropriation of certain funds 206
GILL NET—(See *Fish.*)
GIRLS' INDUSTRIAL HOME—
appropriations 15, 16, 318
printing of reports 63
GLANDERS—
act to prevent spread of among horses, &c. 335
GOOSE—(See *Fish and Game.*)
GOSHEN TOWNSHIP—
Tuscarawas county, authorized to issue railway bonds 23
GOVERNOR—
appropriations 11, 310, 344
to approve certain vouchers 18
appointment board of lady visitors, soldiers' and sailors' orphans' home . . . 20
contest of election of presidential electors 26-27
to appoint commission to hear such contests 26
a member of such commission 26
appointment of Cincinnati water supply commission 53-54
printing of messages and inaugural addresses 64
to whom he shall issue commissions 90, 215
appointment of mine inspector 106
" " canal survey commission 127
approval of leases of canal lands 129
to attest certain state bonds 168
report of fish commissioners 171
Ohio state board of pardons 188-191
abandonment and sale of Wabash and Erie canal and Six Mile reservoir . . 207-209
to approve vouchers for payment of expense of collecting of direct tax from U. S. 264
conveyance of lands in Chillicothe 324-325
independent military companies 335
GRADES—
expense of changing in municipalities 158
GRAND ARMY BADGE—
unlawfully wearing 32
GRANITE PAVING—(See *Cincinnati.*)
GRANT, U. S.—
appropriation for repair of statuette of 320
GREENE COUNTY—
repair of roads 162
GROUND-HOG—
bounty for killing of 79
GUARD—(See *Ohio Penitentiary.*)
GUARDIAN—
assignment of dower 18
" " out of proceeds of sale of real estate 180
GUARD RAILS—(See *Railways.*)
GUERNSEY COUNTY—(See *Additional Judge.*)
HALL—(See *Cincinnati.*)

PAGE

HAMILTON COUNTY—(See *Cincinnati.*)
- times of holding court of common pleas . . . 5
- commissioners to fix extra compensation of deputy police clerk . . . 7
- allowance to commissioners for expenses . . . 76
- completion and improvement of fair grounds . . . 110
- fees of township clerks . . . 132
- levy and expenditure of township road tax . . . 145
- coroner's clerk . . . 206
- court constables . . . 261
- Cincinnati orphan asylum . . . 278
- limitation on special assessments . . . 339
- appropriation to pay agricultural society for damages done by Ohio national guard . . . 348

HEALTH OFFICER—
- appointment of by board of health . . . 60

HEINMILLER, SHERIFF—
- appropriation . . . 347

HEIR—
- may assign dower . . . 18
- may reclaim unknown banking deposits from county treasury . . . 66

HOCKING CANAL—(See *Canal.*)

HOLLYWOOD, P. F.—
- appropriation . . . 347

HORSE—(See *Glanders; Stallion.*)

HOTEL—(See *Intoxicating Liquors.*)
- under what conditions oleomargarine may be used . . . 75

HOUSE OF ILL FAME—
- prohibiting keeping of at certain places . . . 19
- prohibiting keeping or letting of . . . 21

HOUSE OF REPRESENTATIVES—(See *General Assembly.*)

HUNTING—(See *Fish and Game.*)

HUSBAND AND WIFE—(See *Dower; Married Women.*)

HYGIENE—
- required to be taught in public schools . . . 98, 332

ILLEGAL VOTE—
- rejection of . . . 77

ILL-FAME—
- keeping houses of at certain places forbidden . . . 19
- prohibiting keeping or letting of houses of . . . 21, 137

IMPROVEMENT—(See *Public Improvement.*)

INAUGURAL ADDRESSES—
- printing of executive . . . 64

INCREASE—
- of stock of corporations, fees for filing certificates . . . 81, 82

INDEPENDENT MILITARY COMPANIES—(See *Ohio National Guard.*)

INFANTS—(See *Children's Home; Minors.*)
- right to contest will after two years . . . 99

INFIRMARY—(See *Children's Home.*)
- legal residence of electors residing in certain infirmaries defined . . . 78
- amended Dow law . . . 116-118
- letting of contract for erection of . . . 218-223
- excess infirmary funds to be applied to police purposes in Cincinnati . . . 224

INJUNCTIONS—
- when and by whom granted . . . 151
- against working unsafe mines . . . 326

INSANE— PAGE
application for admission to asylum . . . 21
conveyance to asylum . . . 22
warrant for admission . . . 22
when probate judge may refuse to make application . . . 22
rights of relatives to keep patient . . . 22
right of to contest will after two years . . . 99
discharge of patients from asylums . . . 122-123
proceedings when convict becomes insane . . . 191
INSPECTOR OF BUILDINGS—
relative to in Cincinnati . . . 34-53
relative to in Cleveland . . . 289-305
INSPECTOR OF MINES -
appropriations . . . 11, 310, 345
printing of reports . . . 63
appointment, powers and duties of chief and assistant inspectors . . . 106-109
outlets required to mines . . . 185
lighting and ventilation of mines . . . 186
notice of accidents; duty of inspectors . . . 186
owner or manager of mines to give certain notices to inspector . . . 187
penalty for violation of mining laws . . . 187
employment of minors . . . 325
closing of unsafe mines . . . 325-326
INSPECTOR OF OILS—
printing of his report . . . 62
INSPECTOR OF WORKSHOPS AND FACTORIES—
appropriations . . . 12, 310
printing of reports . . . 64
accidents in workshops and factories . . . 99
INSTITUTE—(See *Schools.*)
INSTITUTION FOR THE BLIND—
appropriations . . . 15, 16, 318, 346
printing of reports . . . 63
INSTITUTION FOR THE DEAF AND DUMB—
appropriations . . . 15, 16, 318
printing of reports . . . 63
INSTITUTION FOR FEEBLE-MINDED YOUTH—
appropriations . . . 16, 319
sale of intoxicating liquors, and keeping of houses of ill-fame near forbidden . . . 19
printing of reports . . . 63
INSURANCE—(See *Superintendent of Insurance*)
what kind of business life insurance companies may do . . . 119
fraudulently obtaining money from companies . . . 119
taxation of gross premium receipts of foreign insurance companies . . . 183-4
capital fire insurance companies must have . . . 273
subscriptions to insurance in mutual fire companies . . . 273
annual cash premiums collectable in advance by mutual fire companies . . . 274
contingent mutual liability for losses and expenses of fire companies . . . 274
mutual fire associations . . . 274
fire companies to pay dividends from surplus profits only . . . 274
reservations from surplus profits . . . 274
scrip dividends by mutual companies . . . 274
permanent fund . . . 275
rights of policy holder after determination of policy . . . 275
assessments . . . 275
creation of a debt, when permissible . . . 275
enforcement of assessments . . . 275
partial payment of losses . . . 276
proof of assessments and notice . . . 276
annual reports of companies . . . 276-277
lien of mutual fire companies . . . 278
mutual fire companies doing business on the premium note plan . . . 278

INTERMEDIATE PENITENTIARY— PAGE
appropriation 312
INTOXICATING LIQUORS—
prohibiting sale of at certain places 19, 30-31, 205
prohibition of sale of in townships, how secured 55
amendments to "Dow law" 116-118
temperance education in the public schools 213-214
closing of saloons on Sunday 260
hotels and eating houses 261
power of municipalities to regulate or prohibit the sale 261
IRON SUB-STRUCTURE—(See *Bridge.*)
IRONTON—
board of education 103
JAIL—
letting of contract tor erection of 218-223
JOYCE, CLERK—
appropriation 347
JUDGES OF ELECTION—(See *Elections.*)
JUDGMENTS—
by default before justices of the peace 32
filing of justices' transcripts in court of common pleas 143
right of judgment debtor to redeem realty before confirmation of sale . . . 283
JUDICIARY—(See the several courts.)
appropriation 12
JURISDICTION—
criminal of probate court 4, 94, 227
of justices, police judges and mayors in certain prosecutions 144, 285
JURY—
in certain prosecutions before justices, &c. 144, 285
JURY COMMISSIONERS—(See *Franklin County.*)
JUSTICE OF THE PEACE—
what cases are appealable 31
default judgments 32
how commissioned 90
filing of transcripts of judgments in court of common pleas 143
jurisdiction of in prosecutions for adulteration of food, &c., ... 144
" " cruelty to animals 144
judicial proceedings 144
final jurisdiction in prosecutions under fish and game laws 285
commitment to jail of witness refusing to give recognizance 598
LABEL—
required on goods made by convict labor in other states 92
LABOR—(See *Convict Labor.*)
certain road tax payable in 145
letting of contract for on public improvement 218-223
LABORER—(See *Supreme Court.*)
report of accidents to in work-shops 99
LADY VISITORS—(See *Ohio Soldiers' and Sailors' Orphans' Home.*)
LAKE—(See *Nuisances.*) 268
LAKE ERIE—
fish and game warden 172
fishing in 271
hunting on 322
LANCASTER—
authority to issue natural gas bonds 175
LANDING—
repair of in certain cities 135
rate of taxes allowable 150

PAGE

LARAMIE RESERVOIR—
fish and game warden . . . 172
LAW LIBRARY—(See *State Law Library.*)
compensation of librarian; how fixed in Cincinnati and Cleveland . . . 3
LEASE—
of canal lands . . . 128-129
of natural gas or oil lands to be recorded . . . 179
LEGISLATURE—(See *General Assembly.*)
LEWISTOWN RESERVOIR—
fish and game warden . . . 172
fishing in . . . 272
LIBRARY—(See *State Library; State Law Library; Toledo.*)
LICENSES—(See *Lease.*)
LICKING COUNTY RESERVOIR—
fish and game warden . . . 172
fishing in . . . 272
LIEN—(See *Acknowledgment; Petroleum.*)
of keeper of stallion . . . 262
of mutual fire insurance companies . . . 278
LIFE INSURANCE COMPANIES—(See *Insurance.*)
what kind of businesss they may do . . . 119
LIMA—(See *Allen County.*)
officers of . . . 125
construction and regulation of water works . . . 146
LITERARY SOCIETIES—
fees for incorporating . . . 82
LIVE STOCK—(See *Texas Fever.*)
LIVE STOCK COMMISSION—
appropriation . . . 320
act to prevent spread of glanders among horses and foot rot among sheep . . 335
LOCAL OPTION—
in townships . . . 55
LODGES—
trustees . . . 167
LOGAN—
enlargement of culvert under Hocking canal . . . 223
LONGVIEW ASYLUM FOR THE INSANE—
appropriations . . . 15, 16, 317
printing of reports . . . 63
discharge and removal of patients . . . 122-123
LOYAL LEGION—
unlawful wearing of badge of . . . 32
LUCAS COUNTY—(See *Toledo.*)
official stenographers . . . 124
depositary for public moneys . . . 243
court constables . . . 261
McDERMOTT, JOHN—
appropriation . . . 347
MADISON COUNTY—
repair of roads . . . 162
MAHONING COUNTY—
election of additional judge . . . 101
MANDAMUS—(See *Supreme Court.*)
MANUAL TRAINING SCHOOLS—
Columbus . . . 251
MANUFACTURER—
report of accidents to chief inspector of workshops . . . 99
payment of wages twice a month . . . 251

PAGE

MARIETTA CENTENNIAL—
appropriations 811, 826
MARKETS—
superintendent of in Toledo and Cleveland 116
MARRIED WOMEN—(See *Dower.*)
removal of disability in case of contest of will 99
MATERIALS—
letting of public contracts for 218-228
MAUMEE BAY—
fishing in 271
MAYOR—(See *Municipal Corporation.*)
MEAT—(See *Nuisances.*)
MEDICINES—
prosecutions for adulteration of 144
MERCER COUNTY RESERVOIR—
fish and game warden 172
fishing in 272
MERCHANTS—
payment of wages twice a month 251
MESSAGES—
printing of executive 64
METEOROLOGICAL BUREAU—
printing of reports 64
appropriation 312
MIAMI UNIVERSITY—
appropriation 312
MILITARY BADGE—
unlawfully wearing 32
MILITARY CLAIMS—(See *War Claims.*)
appropriation to pay certain 27-28
MILITIA—(See *Ohio National Guard.*)
MINE—(See *Inspector of Mines; Ohio State University.*)
outlets; lighting and ventilating; safety apparatus, &c. 185-188
payment of wages twice a month 251
emptying of coal refuse into rivers, &c., ... 286
employment of minors 325
closing of unsafe mines 325-6
MINISTERIAL LANDS—
collection of rents 256
MINOR—(See *Infant.*)
prohibiting sale of cigarettes and tobacco to 169
employment of in mines 325
MISDEMEANOR— See *Crimes and Offenses.*)
MONTGOMERY COUNTY—(See *Dayton.*)
defining legal residence of electors who are inmates of the infirmary 78
official stenographers 124
MORGAN COUNTY—(See *Additional Judge.*)
MORTGAGE—(See *Acknowledgment; Redemption.*)
release of by mortgagee or assignee 284
MUDCREEK BAY—
fishing in 271
MUNICIPAL CORPORATIONS—(See the several cities and villages; *Schools.*)
sale of certain cemeteries and application of proceeds 7-8
sale of intoxicating liquors, and keeping of houses of ill-fame, when and where forbidden 19
school examiners for city districts, second class, and village districts 30
establishment and constitution of boards of health; health officers 59-60
payment and application of assessments 74

MUNICIPAL CORPORATIONS—Continued. PAGE
legal residence of electors residing in certain infirmaries defined 78
election of officers in municipalities which are without officers 78
fees for filing papers in office of secretary of state 82
isssue of water-works bonds by cities second class, third grade 88
erection of toll-gates in Flushing 98
issue of street improvement bonds in cities second grade, third class 102
judges and clerks of election in municipality newly divided into wards . . . 104
issue of water pipe bonds in municipalities of Cuyahoga county 112
powers and duties of oil, water and natural gas companies 114-115
amendments to Dow Law 116-118
cleaning and sprinkling of streets, planting and care of trees in certain cities 126-127
laws governing cities second class until they become cities fourth grade, first class 130
bounty for the killing of English sparrows 130
exchange of property with board of education 134
repair of wharves and landings in cities third grade, fourth class 135
stocks owned by 143
filing of transcripts of judgments of mayor in court of common pleas 143
jurisdiction of mayor in certain cases 144
road tax 145-146
official state census of cities 147-148
maximum of taxes allowable 150
expense of changing established grades, how paid 158
relief of indigent soldiers, &c., ... 158-161
city boards of equalization 173-174 328
purposes for which realty may be appropriated 177-9
treasurer of the school funds 193-4
letting of contracts for public buildings, bridges, &c., ... 218-223
annexation of property lying partly in another county or counties 224
terms of city and village officers 225
solicitor to give opinions, when 225-6
general assessments for streets, &c., ... 229
duty of city solicitor as to suits 249
power to regulate or prohibit the liquor traffic 261
construction and repair of side walks 264
unlawful deposit of offal &c. in certain places 268
power of villages to prohibit burials in certain cemeteries 282
final jurisdiction of mayors in prosecutions under fish and game laws 285
school examiners and school examinations 332-333
limitation on special assessments in certain municipalities 339

MUSKINGUM COUNTY—(See *Additional Judge.*)

MUTUAL CORPORATIONS—
fees for filing articles of incorporation of 81
fire insurance—(See *Insurance*) 273-278

NARCOTICS—(See *Schools.*)

NATIVE WINE—
sale of in townships where liquor traffic is prohibited 56

NATURAL GAS—
powers and duties of companies for transportation of 114-115
Lancaster authorized to issue bonds 175-6
recording of leases of lands 179

NEGOTIABLE INSTRUMENTS—
fees of notary public for protesting 87

NET—(See *Fish.*)

NOBLE COUNTY—
election of additional common pleas judge 214

NORTHWESTERN OHIO HOSPITAL FOR THE INSANE—
appropriation 316

NOTARY PUBLIC—
fees of 87

NUISANCES— PAGE
certain criminal resorts declared to be 6
certain places for sale of intoxicating liquors declared nuisances . . . 19, 137, 205
certain houses of ill-fame declared nuisances 19, 137
house of ill-fame, assignation, &c., ... 21, 137
unlawful deposit of certain nuisances in certain places 268
emptying of coal refuse, petroleum, &c., into rivers 286
OFFAL—
unlawful deposit of in certain places 268
OFFICIAL STATE CENSUS—
of cities 147-148
OHIO CENTENNIAL—
appropriations 311-312, 326
issue of bonds by state board of agriculture 323
OHIO DAIRY AND FOOD COMMISSION—
appropriations 12, 312, 345
OHIO INSTITUTION FOR THE BLIND—(See *Institution etc.*)
OHIO INSTITUTION FOR THE DEAF AND DUMB—(See *Institution etc.*)
OHIO INSTITUTION FOR FEEBLE-MINDED YOUTH—See *Institution etc.*)
OHIO NATIONAL GUARD—(See *Adjutant-General,*)
appropriation for relief of fourteenth regiment 109
" " " Col. E. J. Ohl 156
" " " Allen G. Winnie 269
general appropriation 308
members of independent military companies shall be entitled to privileges, when 334
appropriation to pay Hamilton county agricultural society for damages . . . 348
OHIO PENITENTIARY—
appropriations 12, 312, 345
printing of reports 63
appointment and salaries of officers and other employes 120, 336
vacation of guards; one guard from each county 121, 336
qualifications, terms and removal of appointees 121, 336
earnings of prisoners to what purposes applied 134
Ohio state board of pardons 188
proceedings when convict becomes insane 191
residing of officials thereat forbidden; privileges of warden and matrons . . 260
OHIO SOLDIERS' AND SAILORS' HOME—
sale of intoxicating liquors and keeping of houses of ill-fame near 19 205
appropriation 319
OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME—
appropriations 16, 319, 347
sale of intoxicating liquors, and keeping of houses of ill-fame near 19
board of lady visitors 20
printing of reports 63
OHIO STATE BOARD OF AGRICULTURE—(See *State Board of.*)
OHIO STATE BOARD OF PARDONS—
act creating 188
application for pardons, reprieves, &c., ... 188-191
appropriation 340
OHIO STATE UNIVERSITY
printing of reports 63
act establishing a school of mines and mine engineering 155
appropriations 156, 313
OHIO UNIVERSITY—
appropriations 313
OHIO VALLEY AND CENTRAL STATES—
appropriations for centennial exposition of 312, 326

PAGE

OHL, COL. E. J.
appropriation to reimburse 156
OIL—(See *Petroleum.*)
OLEOMARGARINE—
act relative to sale or use of 74
OMISSIONS—
of property from taxation 170
ORDER OF SALE—(See *Execution.*)
ORIGINAL TOWNSHIPS—(See *Township.*)
ORR, HANNA AND ABBOTT—
appropriation 347
ORPHAN'S ASYLUM—(See *Cincinnati.*)
OWEN SUNDAY LAW—(See *Intoxicating Liquors.*)
PACKING HOUSE—
unlawful deposit of offal fn certain places 268
PARDONS—(See *Ohio State Board of Pardons.*)
PARKS—
containing prehistoric earth works 121
Franklin park improvement 138
PARTIAL APPROPRIATIONS—
for state departments and institutions 9-17
PARTITION—
widow or widower may elect to be endowed out of proceeds of real estate . . 180
PARTNERSHIP—(See *Costs.*)
PAULDING COUNTY—(See *Canals.*)
PAVEMENT—(See *Side-walk.*)
PENALTY—(See *Crimes and Offenses.*)
PENITENTIARY—(See *Ohio Penitentiary; Intermediate Penitentiary.*)
goods made by convicts in other states required to be labeled 92
PERRY COUNTY—
time of holding common pleas court changed 61
PETROLEUM—
powers and duties of companies for transportation of 114-115
leases of lands to be recorded 179
emptying of refuse into river, &c., ... 286
PHEASANT—(See *Fish and Game.*)
PHYSICIAN—(See *District Physician.*)
PHYSIOLOGY—
required to be taught in public schools 98, 332
PIKE—(See *Public Ways.*)
PIPE—(See *Natural Gas; Water-works.*)
PLANS
for public improvements 210-298
PLUMBERS
licensing of in Cincinnati 49
POISONS—
unlawful killing fish with 157
POLICE—(See the several municipalities.
amended Dow law 116-118
POLICE COURT—(See *Municipal Corporations; Witness.*)
powers, salary and bond of deputy clerk 7
jurisdiction of in certain cases 141
" " prosecutions under game and fish laws 285
POLICY—(See *Insurance.*)

PAGE

POLL-BOOKS—(See *Elections.*)
POND—(See *Nuisances.*)
POOR-HOUSE—(See *Infirmary.*)
PORTAGE COUNTY—
election of additional judge 101
POWER OF ATTORNEY—(See *Acknowledgment.*)
PRAIRIE CHICKEN—(See *Fish and Game.*)
PRE-HISTORIC EARTH WORKS—
parks containing exempt from taxation; rules governing access to parks . 121-122
PREMIUMS—(See *Insurance.*)
PRESIDENTIAL ELECTORS—
contest of election of 26
PRIMARY ELECTIONS—(See *Elections.*)
PRINTING—(See *Supervisor of Public Printing.*)
of state reports 62-64
for Cuyahoga county officers 67-8
PRISON—(See *Ohio Penitentiary; Intermediate Penitentiary; Convict Labor.*)
PRISONER—(See *Bail.*)
PRIVIES—(See *Nuisances.*)
PRIZE FIGHTING—
declared unlawful 204
PROBATE COURT—
concurrent criminal jurisdiction of 4-5, 94, 227
assignment of dower by heir or his guardian 18
application for admission to asylum for insane 21
conveyance of insane person to asylum 22
warrant for admission and its return 22
when judge may refuse application 22
right of relatives to keep patient 22
relative to unknown banking depositors and deposits 65
duties and compensation of judge and his assistants in Cuyahoga county . . 69-73
removal of patients from asylums for insane 122-123
separation of child from its pauper mother. 148
granting of injunctions 151
official stenographers 212
powers of executors, &c., during contest of will 252
court constables 261
commissioners to audit claims against insolvent estate 287
school examiners and school examinations 330-333
commitment to jail of witness refusing to give recognizance 598
PROCEDENDO—(See *Supreme Court.*)
PROHIBITION—
of liquor traffic in townships may be secured, how 55
" " municipalities " " 261
PROMISSORY NOTE (See *Negotiable Instruments.*)
PROSECUTING ATTORNEY—
duty under act relative to unknown banking depositors and deposits 67
" " " pardons, reprieves, &c., ... 191
to approve contracts for public improvements 221
to prosecute violations of game law 322
PROSTITUTION—
keeping or letting of houses of forbidden 21
PUBLIC BUILDING—
purchase of land for by U. S., in Dayton 33
letting of contracts for 218-223
PUBLIC CONTRACTS—
letting of 218-223
PUBLIC DEBT—(See *Commissioners of the Sinking Fund.*)
appropriation to pay part and interest 229
redemption of bonds due July 1, 1888 263

PAGE

PUBLIC HALL (See *Cincinnati.*)
PUBLIC IMPROVEMENT—
letting of contracts therefor 218-223
PUBLIC LANDS—(See *Canals.*)
PUBLIC SCHOOLS—(See *Schools.*)
PUBLIC WAYS—(See *Bridges; Nuisances.*)
street improvements in cities second class, third grade (Springfield) 102
unlawful use or occupation of by railway companies 112-114
duty of railway engineers at crossings 112-114
how right to use may be acquired by oil, water and natural gas companies . . 115
cleaning and sprinkling of streets; planting and care of trees in certain cities . 126
levy of township road tax in Hamilton county 145
labor in discharge of part tax 145
collection and expenditure of township road fund 145
municipalities 145
levy of additional township road tax 146
villages 146
certificate to auditor 146
condemnation of Cincinnati avenues 152
granite paving in Cincinnati 153
expense of changing established grades, how paid 158
each township in certain counties made road district for repair of roads . . 162-164
bond to be filed with petition for township road 177
appropriation of realty by municipalities 177-8
letting of contracts 218
if viewer fail to attend to view county road, how another appointed 226
application to change county road 227
proceedings on report of viewers 227
general assessments for streets, &c., in municipalities 229
pavement of certain streets in Dayton 257
QUAIL— See *Fish and Game.*)
QUO-WARRANTO—(See *Supreme Court.*)
RAILWAY AND RAILWAY COMPANIES—
issue of bonds by Goshen township, Tuscarawas county 23
act regulating employment of persons affected with color blindness 58-59
fees for filing papers in office of secretary of state 80-83
act to prevent introduction of Texas fever 83
blocking of frogs, guard-rails, switches, &c., ... 105
penalty for violation by engineers of certain duties at crossings 112-114
unlawful use or occupation of highways in Columbus 113-114
RECEIPTS—
to be given by treasurer for taxes, penalties, &c 327
RECOGNIZANCE—(See *Bail; Witness.*)
RECORDER—(See *County Recorder.*)
REDEMPTION—
right of judgment debtor to redeem lands prior to confirmation of sale . . . 283
REDUCTION OF CAPITAL—
of corporations, fee for filing certificates 82
REEVES, WILLIAM—
appropriation 347
REFINERY—(See *Petroleum.*)
REFORMATORY—(See *Penitentiary; Boys' Industrial School; Girls' Industrial Home.*)
REGISTERED DRUGGIST—
may sell liquors for certain purposes in township within which the liquor traffic is prohibited 56
REGISTRATION—
in Cincinnati, Cleveland, Toledo, Columbus and Dayton 85-86
RELIEF—
of indigent soldiers 158-161

RELIGIOUS SOCIETIES—(See *Colleges.*) PAGE
fees for incorporating 82
trustees 166-7
REMOVAL—
of patients from asylums for insane 122-123
RENTS—(See *Ministerial Lands; School Lands.*)
REPAIRS—
contracts for to public buildings, &c., ... 218-223
REPLEVIN—
of get of stallion 263
REPORTER OF SUPREME COURT—
appropriations 14, 314
REPORTS—(See *Schools.*)
printing and distribution of state 62-64
of fish commissioners 171
commissioner of schools 192
of fire insurance companies 276
REPRIEVES—(See *Ohio State Board of Pardons.*)
RESIDENCE—
of electors residing in certain infirmaries defined 78
RESTAURANT—(See *Intoxicating Liquors.*)
conditions under which oleomargarine may be used 75
REVISED STATUTES—
section 14, fees of secretary of state to be paid into treasury 83
section 63, (am. 83 v. 65) amended 62
section 63, printing and distribution of soldiers' roster 24
section 63, printing and distribution of report of Gettysburg commission . . . 186
section 63, printing and distribution of vol. 6, geology 3
section 64, (am., 83 v. 65), amended 64
section 65, (am., 83 v. 65 , amended 64
section 83, (am. 82 v. 16) amended 90
section 85, Ohio State Board of Pardons 188
section 86, amended 190
section 87, amended 191
section 88, amended(?) 190
section 91, amended 191
section 92, amended 191
section 119, amended 87
section 148, referred to 83
section 148*a*, (am., 83 v. 165), amended 80
section 164, survey of canals and canal lands 127
section 238, redemption of state loan 263
section 241, issue of state bonds to meet deficiencies 168
section 290, (am., 81 v. 153), amended 106
section 292, (am., 81 v. 153), amended 106
section 293, (am., 82 v. 204), amended 107
section 294, school of mines at Ohio state university 155
section 295, (am., 82 v. 204), amended 109
section 297, penalty for violation of 187
section 297, (83 v. 181), amended 185
section 298, penalty for violation of 187
section 299, penalty for violation of 187
section 300, penalty for violation of 187
section 301, penalty for violation of 187
section 301, (am. 83 v. 181), amended 186
section 302, penalty for violation of 187
section 302, amended 325
section 303, amended 325
section 305, penalty for violation of 187
section 306, amended 326
section 340, printing of volume 6, geology 3
section 340, soldiers' roster 24

REVISED STATUTES—Continued. PAGE
section 361, amended . . . 192
section 409, (am., 83 v. 186), amended . . . 171
section 422, amended . . . 255
section 440, amended . . . 164
section 457, changing time of holding courts . . . 6, 61, 125, 133, 283
section 463, amended . . . 5
section 475, am., 77 v. 238), amended . . . 212
section 478, supplemented . . . 124
section 550, (am., 84 v. 129), amended . . . 267
section 553, (am., 82 v. 16), amended . . . 261
section 675*a*, 82 v. 96), amended . . . 20
section 675*b*, (82 v. 96), amended . . . 20
section 704, referred to . . . 21
section 705, amended . . . 21
section 709, amended . . . 122
sections 765-781, penalty for violation o' . . . 222
section 794. amended and referred to . . . 218, 222
section 795, amended and referred to . . . 219, 222
section 796. amended and referred to . . . 219, 222
section 797, (am., 77 v. 72), amended and referred to . . . 220, 222
section 798, amended and referred to . . . 221, 222
section 799, amended, supplemented and referred to . . . 221, 222
section 800, amended . . . 222
section 801, amended . . . 222
section 878, contract for Cuyahoga county printing . . . 67
section 880, sale by counties of stocks in private corporations . . . 143
section 898, tax for relief of indigent soldiers . . . 158
section 896, made applicable to certain appeals . . . 66
section 897, supplemented . . . 76, 266
section 930, (am., 79 v. 28), amended . . . 266
section 931, supplemented . . . 148
section 1040, tax omissions . . . 170
section 1042, (am., 83 v. 234), amended . . . 236
section 1062, referred to . . . 108
section 1070, amended . . . 216
sections 1079-1136, depositary for public moneys in certain counties . . . 230, 243
section 1085, referred to . . . 233, 246
section 1090, amended . . . 327
section 1108, referred to . . . 233, 246
section 1111, referred to . . . 248
section 1209, supplemented . . . 206
section 1284, additional salary of common pleas judges . . . 97, 254
section 1292*b* (80 v., 151,) amended . . . 305
sections 1341-1365, fees, &c., of Cuyahoga county officers . . . 69-73
section 1343*a*, not affected by certain act . . . 171
section 1343*b*, not affected by certain act . . . 171
section 1409, (am., 82 v. 256), amended . . . 256
section 1421, referred to . . . 142
section 1425, amended . . . 141
section 1448, (am., 83 v. 28), amended . . . 131
section 1453, (am., 80 v. 7), amended . . . 192
section 1455, amended . . . 192
section 1531, (am., 78 v. 150', amended . . . 132
section 1546, cities fourth grade, first class . . . 130
section 1582, official state census of cities . . . 147-148
section 1583, official state census of cities . . . 147-148
section 1584, official state census of cities . . . 147-148
section 1603, supplemented . . . 224
section 1632, supplemented . . . 104
section 1656, (am., 84 v. 125), amended . . . 95
section 1692, (¿18) construction of bridges in Toledo . . . 253
section 1692, (¿27) regulating construction of buildings in Cincinnati . . . 34-53
section 1707, supplemented . . . 125

REVISED STATUTES—Continued. PAGE
section 1709, (am., 77 v. 94), amended 225
sections 1728-1731, election in municipality which is without officers 78-79
section 1726, made partially inapplicable to certain election 116
sections 1767-1773, depositary for public moneys in certain cities 197, 237
section 1774, amended 249
section 1775, amended 225
section 1809, (am., 83 v. 68), amended 7
section 2008, referred to 126
section 2113, (am. 83 v. 174), amended 59
section 2115, amended 60
section 2131*a*, (83 v. 115), amended 60
section 2132*a*, (83 v. 115), amended 60
section 2232, (am., 84 v. 66), amended 177
section 2268, amended 229
section 2271, (am., 82 v. 260), amended 339
section 2272, referred to 339-340
section 2293, supplemented 153
section 2293, repairing of certain streets in Dayton 257
section 2293*a*, referred to 153, 154
section 2296, amended 74
section 2300, referred to 74
section 2301, amended 153
section 2303, Springfield street improvement 102
section 2307, sprinkling of streets and care of shade trees (Columbus) 126
section 2311, referred to 126
section 2312, sprinkling of streets and care of shade trees (Toledo) 126
section 2329 (am., 83 v. 34), amended 264
section 2364, repealed (?) 335
sections 2407-2435, Cincinnati water supply commissioners 53
section 2409, Lima water-works trustees 146
section 2415, Springfield water works improvment 88
section 2415, Columbus water-works improvement 250
section 2415, Dayton water-works improvement 255
section 2432, laying of water pipes in certain streets, &c., ... 112
section 2434, referred to 150
section 2439, referred to 335
section 2445, (am., 81 v. 97), amended and supplemented 57-58
section 2463, amended 100, 335
section 2470, firemen's relief fund 169
section 2473, regulating, construction of buildings in Cincinnati and Cleveland 34-53, 289-305
section 2486, Lancaster authorized to issue natural gas bonds 175
section 2511, Franklin park improvement 138
section 2551, repealed 282
section 2555, sale of certain cemeteries authorized 7
section 2559*a*, amended 97, 215
sections 2568-2575, Cincinnati theaters, hotels, &c, ... 46-48
section 2573*a*, inspection of buildings in Cincinnati 34-53
section 2580 (am. 81 v. 157), amended 116
section 2596, inspection of buildings in Cincinnati 34-53
section 2640, improvement of Springfield streets 102
section 2648, maintenance of toll-gates in Flushing 98
section 2665, construction and repair of wharves in certain cities 185
section 2678, sale by council of stocks in private corporations 143
section 2678, amended 3
section 2689*a*, (80 v. 128), amended 150
section 2712, referred to 150
section 2732, supplemented 121
section 2732, U. S. property in Dayton exempt from taxation 34
section 2734, employment of tax inquisitors 170
section 2745, amended 183
section 2750, employment of tax inquisitors 170
section 2804, provisions of to govern certain boards 173, 329

REVISED STATUTES—Continued. PAGE

section 2805, (am., 83 v. 234), amended 173, 328
section 2805*a*, (78 v. 180), amended (?) 174
section 2829, (am., 84 v. 224), amended 145
section 2919, (am., 84 v. 188), amended 337
section 2919*a*, repealed 337, 339
section 2919*b*, repealed 337, 339
section 2926, (am., 84 v. 119), amended and referred to 85, 338, 342
sections 2926*a*,—*w*, referred to 338
section 2926*c*, (am., 84 v. 121), amended 341
section 2926*h*, referred to 85
section 2926*i*, referred to 85
section 2926*m*, referred to 85, 86
section 2926*n*, referred to 86
section 2926*o*, referred to 86
section 2926*p*, referred to 338
section 2926*q*, referred to 86
section 2926*r*, referred to 86
section 2926*v*, amended 85
section 2943, amended 77
section 2946, defining legal residence of electors in certain infirmaries . . . 78
section 2970, supplemented and referred to 26-27
section 2976, referred to 142
section 2978, election of additional common pleas judge 29, 101, 214
section 2994, election of additional common pleas judge 29, 101, 214
section 2998, made applicable to certain election contests 26
section 2999, made applicable to certain election contests 26
section 3000, made applicable to certain election contests 26
section 3001, made applicable to certain election contests 26
sections 3005-3014, made applicable to certain election contests 26
section 3040, (am., 81 v. 30), amended 334
sections 3070-3085, act for relief of 14th regiment O. N. G. 109
sections 3212-3213, lien of keeper of stallion 262
sections 3232-3269, supplemented 182
sections 3282-3884, fees of secretary of state thereunder 80
section 3238*a*, fee for filing certificates thereunder 82
section 3240, (am. 80 v. 79), amended 166
section 3244, fee for filing certificates thereunder 82
sections 3311-3365, employment of color-blind persons by railway companies 59
sections 3311-3365, act for protection of railway employes 105
section 3576, amended 76
section 3578, amended 76
section 3596, amended 119
section 3630, fees for creating corporation thereunder 81
section 3634, amended 273
section 3648, amended 274
section 3650, (am., 79, v. 133), amended 275
section 3651, amended 275
section 3652, amended 276
section 3654, amended 276
section 3668, amended 278
section 3686, referred to 274
section 3708, improvement of Hamilton county fair grounds 110
section 3718*a*, (81 v, 181), amended 144
section 3751, referred to 141
section 3752, amended 140-141
section 3762, supplemented 270
section 3801, unknown banking depositors and deposits 65
section 3806, amended 288
section 3826, supplemented 152
section 3833, fees for creating corporations thereunder 82
section 3878, amended 115
section 3880, amended 115
section 3886, (am. 84 v. 184), amended 91

REVISED STATUTES—Continued. PAGE
section 3905, Ironton board of education 103
section 3971, (am., 80 v 36), amended 133
section 3999, Toledo public library 209
section 4007, Columbus manual training schools 251
section 4020, temperance education in public schools 213-214
section 4030, amended 192
section 4033, amended , ... 193
section 4035, amended 193
section 4036, amended 193
section 4039, amended 193
section 4042, amended 193
section 4044, amended and referred to 194
section 4046, repealed 196
section 4049, amended 194
section 4052, amended 194
section 4056, (am., 80 v. 95), amended 194
section 4057, amended and referred to 195, 194
section 4060, amended 195
section 4065, (am., 81 v. 95), amended 330
sections 4065-4085, made applicable to certain school districts 80
section 4066, (am., 78 v. 89), amended 330
section 4068, (am., 82 v. 100), amended 330
section 4069, amended 330
section 4070, amended. 195
section 4072, referred to 80
section 4073, referred to 195
section 4073, (am., 81 v. 55), amended 331
section 4074, (am., 79 v. 70), amended and referred to 93, 331, 332
section 4074, temperance education in public schools 213
section 4076, amended 195
section 4077, amended 332
section 4078, amended 330, 332
section 4080, amended 332
section 4081, (am., 78 v. 87), amended 333
section 4082, referred to 332
section 4083, amended 196
section 4084, (am.. 83 v. 35), amended 80
section 4088, amended 196
section 4092, referred to 196
section 4093, referred to 30, 196
section 4094, amended 196
section 4112, supplemented 179
section 4135, amended 284
sections 4210-4212, act to prevent introduction of Texas fever 83
section 4644, amended 226
section 4656, amended 227
section 4673, (am., 83 v. 45), amended 177
section 4708, amended(?) 332
section 4846, referred to 236
sections 4876-4907, made applicable to repair of certain road 166
section 4895, supplemented 162-164
section 4940, (am., 84 v. 172), amended 89
section 5189*b*, (84 v. 93)supplemented and referred to 204
section 5301, (am., 84 v. 69), amended 181
section 5302, amended 182
section 5340, (am., 80 v. 11), amended 306
section 5377, amended 143
section 5398, supplemented 283
section 5573, (am., 84 v. 36), amended 151
section 5707, (am., 81 v. 198), amended 17-18
section 5719, (am. 79 v. 37), amended 180
section 5933, amended 99
section 6019*a*, (84 v. 174), amended 252

REVISED STATUTES—Continued. PAGE
section 6224, amended 287
section 6225, amended 287
sections 6407-6410, made applicable to certain appeals 66
section 6454, (am., 84 v. 227), amended 4-5, 94, 227
section 6562, (am., 79 v. 128), amended 31
section 6855, act to prevent spread of certain diseases among animals . . . 335
section 6858, supplemented 6
section 6871, (am., 83 v. 181), amended 187
section 6871, referred to 107
section 6890, (am., 81 v. 203), amended 204
section 6923, amended 288
section 6925, amended 286
section 6928, sale of adulterated vinegar 259
section 6933 [6933?], repealed 99
sections 6940-6950, township local option 55
sections 6940-6950, amendments to "Dow Law" 116-118
section 6941, prohibiting sale of cigarettes and tobacco to minors 169
section 6944, sale of intoxicating liquors on Sunday prohibited 260
section 6945, (am., 77 v. 64), amended 30
section 6946, (am., 84 v. 70), amended 19
section 6946, supplemented 205
sections 6960-1, final jurisdiction of justices, &c., in cases under 285
section 6961, (am., 84 v. 168), amended 322
sections 6963-6965, final jurisdiction of justices; &c, in cases under 285
sections 6967-8, final jurisdiction of justices, &c., in cases under 285
sections 6968, (am.. 84 v.222), supplemented, amended and referred to 157, 271, 323
section 6978, penalty for tax omissions by public officers 171
section 6980, amended and supplemented 112-114
section 6984, referred to 144
section 6984*a*, referred to 144
section 7003, Texas fever among cattle 83-84
section 7010, Cincinnati theaters &c., ... 46-48
section 7015, payment of wages twice a month 251
section 7025, amended 21, 137
sections 7039-7066, made applicable to primary elections 339
sections 7067-7090, fraud in sale of wool 285
section 7076, obtaining property by false pretenses 32
sections 7081-2, sale of adulterated vinegar 259
section 7084, amended 119
section 7090, sale and use of artificial dairy products 74
section 7153, amended 598
section 7362, (am.. 82 v. 16), amended 167
section 7399, warden to reside at Ohio penitentiary 260
section 7401, appointment of employes at Ohio penitentiary 120, 336
section 7419, marking of goods made by convicts in other states 92
section 7427, application of earnings of convicts 134
RILEY, GEORGE—
appropriation 347
RILEY, MRS. MARY—
appropriation 347
RIVER—(See *Nuisances.*)
ROADS—(See *Public Ways.*)
ROAD SUPERVISOR—(See *Supervisor of Roads.*)
ROSTER—(See *Soldiers' Roster.*)
RUFFED GROUSE—(See *Fish and Game.*)
SABBATH—(See *Intoxicating Liquors.*)
SAILORS—
to be preferred for appointment in the public service, when 149
act for relief of indigent sailors' &c , ... 158-161
SALARIES—(See the several officers.)
SALE—(See *Execution.*)

SALOONS—(See *Intoxicating Liquors.*) PAGE

SANDUSKY—
construction and repair of wharves and landings 135
rate of taxes allowable 150

SANDUSKY BAY—
fishing in 271

SANDUSKY COUNTY—
Western Reserve and Maumee state road 165

SANITARY POLICE—(See *Cleveland.*)

SAVINGS AND LOAN ASSOCIATIONS—(See *Banks.*)

SCAB—(See *Sheep.*)

SCHOOL DISTRICTS—(See *Schools.*)

SCHOOL EXAMINERS—(See *Schools.*)

SCHOOL HOUSE—(See *Schools.*)

SCHOOL LANDS—(See *Schools.*)

SCHOOLS—(See *State Commissioner.*)
appropriation for common 17
examiners for city districts, second class, and village districts 80
what constitutes a city school district of the first class 91
teachers' certificates 93
Ironton board of education 103
corporate powers of board of education 133
sale of property exceeding $300 in value 133
exchange of property with municipal corporation 134
in case no sale of school lands is made, same may be offered again 141
when and how re-appraisement may be made 142
board of education to file bond with petition for township road 177
act to expedite the collection and publication of school statistics 192-196
yearly enumeration of school youth 192
treasurer of the school funds; his settlement with auditor 193-4
to deliver moneys, etc., to successor 194
annual report of board of education 194, 195
compensation of treasurer and clerk 194
president and clerk of county school examiners; duties of clerk; his report . 195
city and village school examiners; duties of clerk; disposition of fees . . . 196
report of institute committee 196
report of certain institutes 196
effect of alcoholic drinks and narcotics on human system required to be taught in public schools 213-214
letting of contracts for erection of school buildings, &c., ... 218-223
Columbus manual training 251
collection of rents of school lands 256
state board of school examiners; their appointment; terms; vacancies . . . 330
power to issue certificates to teachers; record thereof . . . 330
examination fees; compensation of members 330
county school examiners; appointment; term; vacancies 330
removals; disqualifications; granting and revocation of certificates 331
investigation of charges against teachers 331
certificate a pre-requisite to employment of teachers 331
certificates to teach special studies 331
certificate to teach in primary department 331-332
city and village school examiners; appointment of, term, vacancies &c., . . . 332
standard of qualification of teachers 332
examination of schools 332
law governing board in examining teachers 332
special examiners; their oath 332
duty of school superintendents 332
meetings for examinations; notice 332
examination fee; granting and revocation of certificates . . 333
investigation of charges against teachers 333
terms of present members of board of school examiners 333

SECRETARY OF STATE— PAGE
sale of volume 6 of the economic geology 4
appropriations 18, 313
contest of election of presidential electors 26-27
secretary of commission to hear such contests 26
printing of reports 62, 64
fees to be charged by for official services 80
filing of certain certificates of election with 90
expenses Ohio state board of pardons 189
certain certificate of election to be filed with 215
filing of amended articles of incorporation of colleges 270
to furnish stationery to state school examiners 330
SECRET SOCIETIES—
trustees 166-7
SECTARIAN COLLEGE—(See *College.*)
SECURITY—
for costs 306
SEINE—(See *Fish.*)
SENATE—(See *General Assembly.*)
SENTENCE—(See *Ohio State Board of Pardons.*)
suspension of in criminal cases 167
SEWERS—(See *Drainage.*)
SEXUAL INTERCOURSE—
keeping or letting of place for unlawful forbidden 21, 137
SHARES—(See *Stocks.*)
SHEEP—(See *Wool.*)
act to prevent foot rot and scab among 335
SHELBY COUNTY—
time of holding court of common pleas changed 6
SHERIFF—(See *Court of Common Pleas.*)
conveyance of insane patients to asylum 22
duties and compensation of himself and assistants in Cuyahoga county . . . 69-73
required to serve process issued by notary public 87
SIDEWALKS—
construction or repair of in municipalities 264
SINKING FUND COMMISSIONERS - (See *Commissioners, &c.*)
SIPPO RESERVOIR—
fish and game warden 172
SIX MILE RESERVOIR—
fish and game warden 172
abandonment and sale of 207
SLADE AND KELTON—
appropriation 347
SLAUGHTER HOUSE—
unlawful deposit of offal in certain places 268
SMITH, WILLIAM—
appropriation 347
SOCIETIES—
trustees 166-7
SOLDIERS—
to be preferred for appointment in the public service 149
act for relief of indigent, &c 158-161
SOLDIERS' RELIEF COMMISSION—
act providing for relief of 158-161
SOLDIERS' ROSTER—
distribution and sale of volumes of 24-25

PAGE

SOLDIERS' AND SAILORS' HOME—(See *Ohio S. and S. H.*)
SOLDIERS' AND SAILORS' ORPHANS' HOME—(See *Ohio S. and S. O. H.*)
SONS OF VETERANS—
unlawfully wearing badge of 32
SPARRING—
public exhibitions declared unlawful 204
SPARROWS—(See *English Sparrows.*)
SPECIAL ASSESSMENTS—(See *Taxation.*)
SPECIFICATIONS—
for public improvements 219-223
SPRINGFIELD—(See *Clark County.*)
issue of water-works bonds 88
issue of street improvement bonds 102
laws governing it until it beeomes a city 4th grade, 1st class 130
SPRINKLING—(See *Columbus; Toledo.*)
SQUIRREL—(See *Fish and Game.*)
STALLION—
lien of keeper of, how perfected and enforced 262
STATE AUDITOR—(See *Auditor of State.*)
STATE BOARD OF AGRICULTURE—(See *Agriculture; Centennial Expositions.*)
appropriations 10
printing of reports 64
printing of report of fish commission 171-2
issue of bonds to aid Ohio centennial commissioners, &c. 323
STATE BOARD OF HEALTH—
appropriation 320
STATE BOARD OF PARDONS—(See *Ohio State Board of Pardons.*)
STATE BOARD OF SCHOOL EXAMINERS—(See *Schools.*)
STATE CENSUS—(See *Census.*)
STATE CENTENNIAL RECEPTION COMMISSION—
appropriation 326
STATE COMMISSIONER OF COMMON SCHOOLS—(See *Schools.*)
appropriations 11, 309
printing of his report 62, 64
his annual report 192
yearly enumeration of school youth 193
act to expedite the collection and publication of school statistics 192-196
school examiners and school examinations 330-333
STATE FORESTRY BUREAU—(See *Forestry Bureau.*)
appropriations 320
STATE GEOLOGIST—
publication and distribution of volume 6, Economic Geology 3-4
STATE HORTICULTURAL SOCIETY—(See *Ohio S. H. Society.*)
STATE HOUSE AND GROUNDS—
appropriations 9, 308, 343
STATE INSPECTOR OF OILS—(See *Inspector of Oils.*)
STATE LAW LIBRARY—
appropriations 12, 310
STATE LIBRARY—(See *State Law Library.*)
distribution of volume 6, economic geology 4
appropriations 18, 313
distribution of soldiers' roster 24-25
printing of report of commissioners 62
STATE OFFICERS—(See the several officers.)
letting of public contracts 218-223
STATE REPORTS—
printing and distribution of 62-64
of fish commission 171

PAGE

STATE SCHOOL EXAMINERS—(See *Schools.*)
STATE TREASURER—(See *Treasurer of State.*)
STATIONERY—
for Cuyahoga county officers 67-68
STATISTICS—(See *Schools.*)
STENOGRAPHERS—
official for Lucas and Montgomery counties 124
appointment of official court; their salary, assistants, &c., ... 212-213
STOCKS—(See *Corporations.*)
in private corporations owned by township, municipality or county may be sold 143
act regulating payment of dividends 182
STREET RAILWAY—
report of accidents on 99-100
payment of wages twice a month 251
STREETS—(See *Public Ways*)
SUB-STRUCTURE— See *Bridge.*)
SUINE—
act relative to sale or use of 74
SUNDAY—(See *Intoxicating Liquors.*)
hunting on forbidden 323
SUPERINTENDENT OF INSURANCE—(See *Insurance.*)
appropriations 13, 314, 345
printing of reports 63, 64
taxation of gross-premium receipts of foreign insurance companies 184
SUPERINTENDENT OF MARKETS—
Toledo and Cleveland 116
SUPERIOR COURT OF CINCINNATI—
official stenographers 212-213
court constables 261
SUPERSTRUCTURE—(See *Bridges.*)
SUPERVISOR OF PUBLIC PRINTING—
publication and distribution of volume 6, Economic Geology 3-4
appropriations 13, 314, 345
publication, binding and distribution of state reports 62-64
printing of his report 62
SUPERVISOR OF ROADS—
term and election of 131-132
office of abolished in certain counties 164
SUPREME COURT—(See *Clerk of; Reporter of; Judiciary.*)
appropriations 13, 314
granting of injunctions 151
order in which cases shall be docketed and heard 164
cases which may be heard out of their order 165
suspension of sentence in criminal cases 167
SUSPENSION -
of sentence in criminal cases 167
SWITCH—(See *Railway.*)
TAXATION—(See the several cities and villages, counties and townships.)
return of part tax to liquor dealers in certain townships 56
payment and application of assessments 74
exemption of burial grounds 76-77
township bridge 90
for street improvements in cities second class, third grade 102
of liquor business; amendments to Dow law 116-118
pre-historic parks exempt from 121
for wharves and landings in certain cities 135

TAXATION—Continned. PAGE
township roads; municipalities 145-146, 163
maximum of municipal taxation allowable 150
distribution of taxes 150
employment of tax inquisitors; their bonds 171-172
penalty for tax omissions 171
of lands in municipalities not subdivided in lots of more than ten acres . . . 179
of gross premium receipts of foreign insurance companies 183-184
assessments which may be assessed on general tax list 229
delivery of duplicate to treasurer by auditor 236
return of ratable proportion of tax on sale of intoxicating liquors 261
providing for disposition of direct tax when recovered from U. S 264
assessments for repair of sidewalks 264-265
receipts to be given by treasurer for taxes; penalties, &c 327
limitation on assessments in certain municipalities 339
TAX CASES—
appropriation to pay expense of defending in U. S. court 18
TEACHERS—(See *Schools.*)
TELEGRAPH COMPANIES—
payment of wages twice a month 251
TELEPHONE COMPANIES—
payment of wages twice a month 251
TEMPERANCE EDUCATION—(See *Schools.*)
TESTAMENTARY TRUSTEE—
powers of during contest of will 252
TEXAS FEVER—
act to prevent introduction of among cattle 88
THACKER, G. W.—
appropriation to pay bounty claim of 118
TIMES OF HOLDING COURT—
of common pleas in Hamilton county 5
of common pleas in Shelby county changed 6
of common pleas in Perry county changed 61
of common pleas in Allen county changed 125
of common pleas in Darke county changed 133
of common pleas in Fayette county changed 283
TOBACCO—
prohibiting sale of to minors 169
TOLEDO—(See *Lucas County.*)
elections, election precincts, registration, &c., ... 85-86
appointment of superintendent of markets 116
cleaning and sprinkling of streets, planting and care of trees 126-127
expenses of changing established grades, how paid 158
board of equalization 173-174, 328
establishment and maintenance of a public library 209-212
terms of city officers 225
when and to whom solicitor shall give opinions 225-6
depositary for public funds 237-242
construction of bridges at places other than "across any stream" 253
primary elections 338-339
limitation on special assessments 339
board of elections, its organization, general powers and duties 341
TOLEDO ASYLUM FOR THE INSANE—
appropriations 15, 16, 316, 346
sale of intoxicating liquors, and keeping of houses of ill-fame near, forbidden 19
discharge and removal of patients 122-123
TOLL GATES—
erection of in Flushing 98
TOWNS—(See *Municipal Corporations; Township.*)

TOWNSHIP—(See *Children's Home; Schools.*) PAGE
prohibition of the liquor traffic may be secured how 55
bounty for killing of ground-hogs 79-80
duties of trustees as to certain bridges and culverts 90
how right to use roads may be acquired by oil, water and natural gas companies 115
amendments to Dow law 116-118
bounty for killing English sparrows 130
election of officers 131
terms of officers 132
fees of clerk 132
school lands unsold when offered may be offered again 141
reappraisement 142
stocks owned by may be sold 143
levy of township road tax in Hamilton county 145
municipalities 145
additional township road tax 146
municipalities 146
relief of indigent soldiers, &c 158-161
townships in certain counties made road districts 162
bond to be filed with petition for road 177
notice to officers elect to appear and qualify 192
declination of a township office 192
yearly enumeration of school youth 192
terms of clerks and treasurers elected in April, 1888 196
letting of contracts for public buildings, bridges, &c 218-223
collection of rents of school and ministerial lands 256
lien of keeper of stallion, how perfected and enforced 262
TOWNSHIP CLERK—(See *Township.*)
TOWNSHIP OFFICERS—(See *Township.*)
TOWNSHIP TREASURER—(See *Township.*)
TRANSCRIPTS—
of justices' judgments may be filed in the court of common pleas 143
TREASURER—(See *County Treasurer; Township.*)
TREASURER OF STATE—
appropriations 14, 314, 346
printing of his report 62
fees of state school examiners 330
TREES—
planting and care of in certain cities 126-127
TRUMBULL COUNTY—
election of additional judge 101
TRUSTEES—(See *Township; Colleges; Corporations; Testamentary Trustees.*)
TURKEY—(See *Fish and Game.*)
TURNPIKES (See *Public Ways.*)
TUSCARAWAS COUNTY—
Goshen township authorized to issue railway bonds 23
UNION VETERANS' UNION—
unlawfully wearing badge of 32
UNITED STATES—(See *Dayton; Direct Tax; War Claims.*)
UNITED STATES MILITARY DISTRICT—
yearly enumeration of school youth 192
UNIVERSITY—(See *Colleges.*)
UNKNOWN DEPOSITORS—
in banks; act relating to 65-67
VENUE—
change of in common pleas court when judge is disqualified 267
VINEGAR—
forbidding manufacture and sale of adulterated 259

VIRGINIA MILITARY DISTRICT— PAGE
yearly enumeration of school youth 192
WABASH AND ERIE CANAL—
abandonment and sale of 207
WAGES—
payment of twice a month 251
WAR CLAIMS—
appropriation for prosecution of 320
WARDEN—(See *Ohio Penitentiary.*)
fish and game 172
WARRANT—
to admit patient to insane asylum 22
WARREN COUNTY—
repair of roads 162
WATER COMPANIES—
powers and duties of 114-115
payment of wages twice a month 251
WATERCRAFT—
report of accidents 100
WATER SUPPLY COMMISSION—
Cincinnati 51-53
WATER WORKS—
issue of bonds by cities second class, third grade 88
issue of bonds in municipalities in Cuyahoga county 112
Lima 146
issue of bonds in Columbus 250
issue of bonds in Dayton 255
WESTERN RESERVE—
yearly ennumeration of school youth 192
WESTERN RESERVE AND MAUMEE STATE ROAD—
transfer of to Sandusky and Wood counties 165
WHARVES—
repair of in certain cities 135
rate of tax allowable 150
WHEY—(See *Cheese.*)
WIDOW—
assignment of dower by heir or guardian 18
WILBERFORCE UNIVERSITY—
appropriation for normal and industrial department 320
WILD DUCK—(See *Fish and Game.*)
WILD GOOSE—(See *Fish and Game.*)
WILD TURKEY—(See *Fish and Game.*)
WILL—
must be contested within two years, except 99
powers of executors, &c., during contest of 252
WINE—
sale of native in township where liquor traffic is prohibited 56
WINNIE, ALLEN G.—
act for relief of 269
WITNESS—
commitment to jail of witness refusing to give recognizance 598
WOOD-CHUCKS
bounty for killing of 79
WOODCOCK—(See *Fish and Game.*)
WOOD COUNTY—
Western Reserve and Maumee State road 165

PAGE

WOOL—
act to prevent fraud in sale of 285

WORK (See *Labor.*)

WORK-HOUSE—
letting of contract for construction of 218-223

WORKING-HOME FOR THE BLIND—
appropriation 320

WORKSHOP—(See *Inspector of Workshops.*)

INDEX TO LOCAL AND SPECIAL ACTS.

[Subjects are arranged under the head of the counties in which they respectively belong.]

ADAMS COUNTY—
commissioners authorized to repair and construct free turnpike... 452
" " purchase Manchester and Bentonville pike 497
" " contract for discovery of omitted taxes..... 510
Jefferson township divided into four election precincts..... 523
ALLEN COUNTY—
Richland township authorized to transfer funds..... 471
display at Ohio centennial..... 550
ASHLAND COUNTY—
Ashland authorized to transfer funds..... 422
dividing Mohican township into two election precincts..... 426
establishing a sub-school district in Lake township..... 440
Ashland village and school district divided into election precincts..... 485
ASHTABULA COUNTY—
Conneaut authorized to transfer funds..... 388
act providing for Ashtabula harbor improvement..... 406
Kingsville township authorized to build second story to town hall..... 474
Conneaut " transfer funds..... 532
display at Ohio centennial... 550
ATHENS COUNTY—
act changing name of Melzer Thomas Ellis Fuller..... 367
Nelsonville authorized to transfer funds..... 380
Athens authorized to transfer funds..... 437
display at Ohio centennial..... 550
AUGLAIZE COUNTY—
St. Mary's authorized to issue natural gas bonds.. 412
amending act to straighten Logan county boundary line..... 418
display at Ohio centennial..... 550
BELMONT COUNTY—
to change the name of Abraham Schinpinsky..... 358
Bellaire authorized to transfer funds..... 361
act to refund court house and jail bonds..... 414
act for relief of sureties of J. N. Perkins, ex-treasurer of Kirkwood township 454
display at Ohio centennial..... 550
BROWN COUNTY—
commissioners authorized to construct free turnpike..... .....405, 533
payment of Boyles Mill and Blanchester free turnpike bonds..... 507
display at Ohio centennial..... 550
BUTLER COUNTY—
commissioners authorized to make appropriation for agricultural society..... 462
Middletown authorized to issue sewerage and street improvement bonds..... 487
improvement of the Drewersburg and New Haven road..... 540
display at Ohio centennial..... 550
changing name of Squire Robinson Greer..... 557

CAMPAIGN COUNTY— PAGE
Rush township authorized to build vaults..... 358
Urbana authorized to transfer funds..... 378
Urbana board of education authorized to redeem outstanding bonds..... 387
Urbana authorized to erect city building..... 455
display at Ohio centennial..... 550
CLARK COUNTY—
Harmony township divided into two election precincts..... 403
Pike township divided into two election precincts..... 415
display at Ohio centennial..... 550
CLERMONT COUNTY—
Moscow authorized to issue bonds and extend wharf..... 404
Milford authorized to transfer funds..... 404
Loveland authorized to erect town hall, &c..... 436
Loveland authorized to transfer funds..... 443
Neville special school district authorized to issue bonds..... 445
act relieving Joseph Clare, treasurer of Tate township..... 447
authorizing commissioners to construct a free turnpike..... 506
authorizing commissioners to transfer funds, &c..... 512
display at Ohio centennial..... 550
CLINTON COUNTY—
Wilmington authorized to transfer funds..... 370
auditor authorized to refund certain taxes..... 394
special tax on New Antioch precinct, Green township to pay cemetery debt..... 470
Clarksville authorized to transfer funds..... 498
COLUMBIANA COUNTY—
Salineville authorized to transfer funds..... 351
East Liverpool authorized to transfer funds..... 356
East Liverpool authorized to issue water-works bonds..... 361
Fairfield township authorized to erect memorial hall in Columbiana..... 416
authorizing commissioners to build jail and sheriff's residence..... 419
repealing act dividing Perry township into election precincts..... 443
commissioners authorized to straighten and change roads..... 466
COSHOCTON COUNTY—
repealing act creating joint sub-school district in Jackson township..... 405
Franklin township authorized to build township hall..... 508
display at Ohio centennial..... 550
CRAWFORD COUNTY—
North Washington authorized to issue natural gas bonds..... 349
Bucyrus authorized to transfer funds..... 352
amending act dividing Whetstone township into two voting precincts 423
display at Ohio centennial..... 550
commissioners authorized to transfer funds..... 559
CUYAHOGA COUNTY—
Glenville authorized to transfer funds..... 354
act changing name of Elizabeth E. Van Wormer, and of her brother and sister..... 360
act changing name of Mary C. Colt..... 363
West Cleveland authorized to issue water-works bonds..... 396
changing name of first congregational church and society of Cleveland 408
Brooklyn authorized to levy additional school tax..... 421
Brooklyn authorized to issue school house bonds..... 435
Chagrin Falls township authorized to transfer funds..... 442
West Cleveland authorized to improve Detroit street..... 526
amending act authorizing Cleveland to fund certain railroad stocks..... 562
supplementing act authorizing erection of soldiers' and sailors' monument..... 564
DARKE COUNTY—
Arcanum and Twin township authorized to erect a town hall..... 430
Greenville township authorized to transfer funds..... 502
New Madison authorized to transfer funds..... 553

DEFIANCE COUNTY— PAGE
Hicksville authorized to purchase lands for park ... 409
settlement of deficiency on books of clerk of Delaware township ... 516
display at Ohio centennial ... 550
DELAWARE COUNTY—
Concord township authorized to purchase a stone crusher ... 545
display at Ohio centennial ... 550
ERIE COUNTY—
Sandusky authorized to transfer funds ... 356
commissioners authorized to transfer funds ... 373
display at Ohio centennial ... 550
FAIRFIELD COUNTY—
creating a sub-school district in Berne township ... 515
purchase of Zanesville and Maysville turnpike ... 533
improvement of road running near Lancaster to Clearport ... 542
display at Ohio centennial ... 550
FAYETTE COUNTY—
commissioners authorized to issue bonds ... 398
display at Ohio centennial ... 550
FIRST CONGREGATIONAL CHURCH AND SOCIETY OF CLEVELAND—
act changing name of ... 408
FRANKLIN COUNTY—
commissioners authorized to purchase ground for children's home ... 382
commissioners authorized to transfer funds ... 423
Columbus authorized to construct intercepting sewer ... 468
commissioners authorized to grade and widen the Granville pike ... 479
construction of market house in West Columbus ... 482
changing name of Bridgeport special school district ... 506
erection of bridge across Scioto at foot of Town or Rich streets, Columbus ... 531
erection of bridge across Scioto at head of Sandusky street, Columbus 541
Clinton township divided into election precincts ... 543
display at Ohio centennial ... 550
Columbus authorized to construct sewer under canal ... 552
Columbus authorized to issue sewer bonds ... 555
Columbus authorized to issue deficiency bonds ... 556
FULTON COUNTY—
Fayette authorized to issue school bonds ... 388
Fayette authorized to transfer funds ... 414
Swanton authorized to transfer funds ... 464
Fayette authorized to levy a special school tax ... 520
Swanton authorized to build addition to school house ... 534
display at Ohio centennial ... 550
Pike township authorized to transfer funds ... 557
GALLIA COUNTY—
commissioners authorized to transfer funds ... 354
Gallipolis authorized to build a city prison ... 428
act for relief of Harriett Hampton ... 499
GEAUGA COUNTY—
Chardon board of education authorized to redeem bonds ... 391
GREENE COUNTY—
Xenia authorized to transfer funds ... 369
Cedarville authorized to purchase steam fire engine, &c ... 369
Cedarville authorized to issue bonds to widen bridge over Massie's creek 427
Jamestown authorized to purchase steam fire engine ... 434
act creating joint sub-school district in Xenia and Caesar's creek townships ... 457
act for relief of James M. Christy, Wm. A. Carnes and LaFayette Lucas ... 465
Spring Valley village and township authorized to erect a town hall ... 472
commissioners authorized to issue bonds for certain purposes ... 515
display at Ohio centennial ... 550
Xenia electric light improvement ... 561

GUERNSEY COUNTY— PAGE
Cambridge authorized to transfer funds ... 442
HAMILTON COUNTY—
Harrison authorized to transfer funds ... 350
Avondale authorized to purchase turnpike and pay for street improvements ... 363
repealing act providing for restoration of certain records ... 398
improvement of Bridgetown county road ... 425
extension and improvement of Western avenue ... 429
Loveland authorized to erect town hall ... 436
Loveland authorized to transfer funds ... 443
Westwood authorized to build a town hall ... 449
improvement of Pleasant Ridge and Columbia road ... 475
College Hill authorized to transfer funds ... 478
repair and improvement of Cincinnati hospital ... 488
completion of bridge across Miami canal ... 491
Clifton authorized to extend sewerage, repair roadways, &c ... 493
improvement of the North Bend road ... 496
creating office of secret service officer ... 502,561
enabling auditor to complete plats and tax duplicates ... 503
improvement of the Lester road ... 513
opening and improvement of the Loveland and Madeira road ... 519
improvement of Cincinnati, Oakley and Madison avenue ... 528
purchase of part of Ohio turnpike ... 537
creating sinking fund and providing for investment of sinking funds ... 549
HANCOCK COUNTY—
issue of bonds for completion and furnishing of court house ... 357
authorizing Findlay to make interest on water works bonds payable semi-annually ... 381
dividing Delaware township into election precincts ... 444
authorizing construction of bridge over Blanchard river on Main street, Findlay ... 500
establishing a public library in Findlay ... 546
HARDIN COUNTY—
Dunkirk union school district authorized to issue bonds ... 371
Kenton authorized to transfer funds ... 485
HARRISON COUNTY—
commissioners authorized to transfer funds ... 374
display at Ohio centennial ... 550
HENRY COUNTY—
Deshler authorized to build addition to school house ... 491
Liberty Centre authorized to transfer funds ... 521
display at Ohio centennial ... 550
HOCKING COUNTY—
commissioners authorized to transfer funds ... 535
dividing Perry township into election precincts ... 548
Logan authorized to transfer funds ... 553
HOLMES COUNTY—
display at Ohio centennial ... 550
HURON COUNTY—
Chicago school district authorized to issue bonds ... 412
New London authorized to transfer funds to erect school house ... 531
Norwalk authorized to improve its water supply ... 538
JACKSON COUNTY—
Jackson authorized to erect or purchase electric light plant ... 350
JEFFERSON COUNTY—
Mingo Junction authorized to transfer funds ... 364
Steubenville authorized to improve streets and alleys ... 417
Steubenville township authorized to levy additional poor tax ... 495
display at Ohio centennial ... 550
KNOX COUNTY—
creating special school district in Union township ... 44

LAKE COUNTY— PAGE
Painesville authorized to issue sewer bonds ... 360
Painesville authorized to erect or purchase electric light plant, &c ... 365
Mentor authorized to erect a public hall ... 520
Madison township authorized to transfer funds ... 543
display at Ohio centennial ... 550
LAWRENCE COUNTY—
Ironton authorized to transfer funds ... 356
Ironton authorized to erect and furnish school building ... 367, 509
LICKING COUNTY—
Washington township authorized to erect public hall ... 353
Utica authorized to erect public hall ... 355
Burlington township authorized to erect township house ... 402
Newark authorized to issue school bonds ... 425
Burlington township authorized to transfer funds ... 469
Granville authorized to build a school-house ... 473
appropriation for exhibit at Ohio centennial ... 494
providing for jail and sheriff's residence ... 494
LOGAN COUNTY—
Bellefontaine authorized to transfer funds ... 361
Quincy authorized to transfer funds ... 363
amending act to straighten Auglaize county line ... 418
act changing name of Wm. Fawcett ... 455
act enlarging Lewistown special school district ... 465
act for relief of C. C. Stokes, treasurer of Zane township ... 467
regulation of flow of overflowing wells in Perry township ... 477
creating special road district in Miami township ... 481
supplementing act authorizing Bellefontaine to issue water works bonds 522
commissioners authorized to provide for deficiency in county funds ... 526
erection of soldiers' memorial and armory building ... 530
LORAIN COUNTY—
North Amherst authorized to transfer funds ... 359
Elyria authorized to issue paving or flagging bonds ... 386
repealing act dividing Elyria township into two election precincts ... 400
Elyria authorized to transfer funds ... 411
Ridgville authorized to levy special road tax ... 440
North Amherst authorized to purchase fire engine ... 461
display at Ohio centennial ... 550
LUCAS COUNTY—
repealing act authorizing building of court house ... 377
macadamizing of U. S. turnpike ... 480
relief of Caius B. Hanford ... 483
amending act in aid of the "retreat" ... 535
MADISON COUNTY—
annexing territory to Plain city ... 433
display at Ohio centennial ... 550
MAHONING COUNTY—
Poland township authorized to transfer funds ... 370
MARION COUNTY—
Marion union school district authorized to issue school bonds ... 379
Caledonia authorized to transfer funds ... 513
Marion authorized to provide a system of sewerage ... 548
display at Ohio centennial ... 550
MEDINA COUNTY—
Medina authorized to transfer funds ... 449
Medina village and township divided into two separate tax districts ... 477
Medina authorized to receive funds in trust for improvement of Spring Grove cemetery ... 527
display at Ohio centennial ... 550
Seville authorized to transfer funds ... 560
MEIGS COUNTY—
commissioners authorized to levy additional poor tax ... 441

MERCER COUNTY— PAGE
commissioners authorized to provide for a deficiency in bridge fund..... 482
MIAMI COUNTY—
display at Ohio centennial..... 550
MONROE COUNTY—
commissioners authorized to complete children's home..... 420
MONTGOMERY COUNTY—
Dayton authorized to transfer funds..... 371
changing name of William Rhodehamel..... 372
care and control of the Mad River Valley and New Carlisle turnpike 373
act changing name of Mary Ellen Berry..... 375
commissioners authorized to purchase land adjoining children's home and to plat and sell lands not needed by said home..... 375
commissioners authorized to bridge Mad river..... 390
building of a grand army hall in Butler township..... 402
Dayton authorized to transfer funds..... 415
act establishing Germantown public library..... 448
act changing name of Warren W. Paine..... 456
Miami township divided into two election precincts..... 464
amending act relating to purchase of toll roads.....471, 569
West Carrollton authorized to issue bonds..... 514
display at Ohio centennial..... 550
MORGAN COUNTY—
commissioners authorized to bridge Muskingum river.....376, 497
authorizing auditor to sell school lands..... 504
display at Ohio centennial..... 550
MORROW COUNTY—
Cardington authorized to transfer funds..... 378
Mt. Gilead authorized to transfer funds..... 400
Chester township authorized to transfer funds..... 439
amending act relating to purchase of toll roads (?)..... 471
Washington township authorized to transfer funds..... 475
erection of buildings for protecting road implements..... 536
display at Ohio centennial..... 550
MUSKINGUM COUNTY—
New Concord authorized to transfer funds..... 351
commissioners authorized to build Underwood street bridge.....372, 498
Taylorsville authorized to transfer funds..... 387
commissioners authorized to bridge the Muskingum river..... 401
act reimbursing John S. Robinson, ex-treasurer of Washington township..... 426
act reimbursing ex-mayor Gillispie..... 438
commissioners authorized to transfer funds..... 453
appropriation for exhibit at Ohio centennial..... 489
providing room in Zanesville monumental hall for Hazlett post, G.A.R. 510
New Concord authorized to build town hall..... 545
commissioners authorized to construct a tunnel..... 553
NOBLE COUNTY—
act changing name of Jennie Flanagan..... 379
Caldwell authorized to provide fire protection..... 544
display at Ohio centennial..... 550
OHIO CENTENNIAL—
certain counties authorized to make display at..... 550
OTTAWA COUNTY—
amending act providing for construction of free turnpikes..... 489
display at Ohio centennial..... 550
PAULDING COUNTY—
Jackson township authorized to transfer funds..... 460
display at Ohio centennial..... 550
Benton township authorized to purchase and repair cemetery grounds. 561
issue of Paulding school bonds to pay debts..... 558

PERRY COUNTY— PAGE
act changing name of Simon Fuchs and of his brothers and sisters..... 362
issue of bonds to complete court house and jail..... 394
Reading township authorized to erect township house 417,563
New Straitsville authorized to transfer funds 479
Pike township divided into two election precincts..... 479
display at Ohio centennial..... 550
lease of New Lexington school building..... 555
PICKAWAY COUNTY—
cemetery directors, Walnut township, authorized to loan funds..... 542
display at Ohio centennial 550
PORTAGE COUNTY—
issue of deficiency bonds..... 352
Ravenna authorized to transfer funds 434
display at Ohio centennial..... 550
PREBLE COUNTY—
Camden authorized to erect town hall, engine room, &c 383
commissioners authorized to issue deficiency bonds..... 399
Washington township divided into two election precincts..... 429
Camden authorized to transfer funds..... 433
display at Ohio centennial 550
PUTNAM COUNTY—
Kalida special school district authorized to levy additional tax..... 447
Ottawa township authorized to improve its public roads..... 461
display at Ohio centennial..... 550
RICHLAND COUNTY—
act changing name of Harriett L. Phillips..... 462
commissioners authorized to transfer funds..... 476
ROSS COUNTY—
amending act authorizing commissioners to construct free turnpikes.....441
authorizing Chillicothe to transfer funds..... 445
Union township authorized to levy cemetery tax on N. Union precinct 458
commissioners authorized to issue bonds to pay indebtedness..... 496
repealing act incorporating town of New Richmond..... 501
display at Ohio centennial.. 550
Adelphia authorized to transfer funds.. 555
SANDUSKY COUNTY—
Green creek township authorized to transfer funds 423
act for relief of John Bookmyer, ex-treasurer of Townsend township..... 432
Clyde authorized to transfer funds 439
commissioners authorized to levy special tax to improve roads 518
display at Ohio centennial 550
SCIOTO COUNTY—
commissioners authorized to issue turnpike bonds 397
display at Ohio centennial 550
SENECA COUNTY—
Scipio township authorized to build soldiers' monument..... 380
Fostoria authorized to issue cemetery improvement bonds 395
Tiffin authorized to improve, sell or lease park lands..... 492
creating special school district in Pleasant township 524
SHELBY COUNTY—
county treasurer to pay certain taxes to treasurer of Sidney..... 374
providing for unpaid balance due in construction of Dingman pike 486
display at Ohio centennial 550
STARK COUNTY—
Canton authorized to issue sewer bonds..... 408
Tuscarawas township divided into four voting precincts..... 421
repealing act dividing Alliance election precinct, Lexington township.. 438
Canal Fulton authorized to transfer funds..... 456
Marlborough township divided into two voting precincts..... 463
Canton authorized to erect school buildings 484

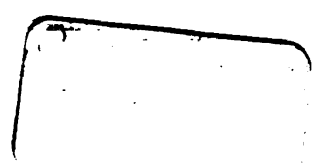
STARK COUNTY—Continued. PAGE
Plain township divided into two election precincts 518
Lake township divided into three election precincts 540
establishing special school district in Osnaburg township 541
display at Ohio centennial 550
SUMMIT COUNTY—
repealing act dividing Coventry township into two election precincts... 436
creating Akron township and changing boundaries of Coventry, Portage and Tallmadge 469
Peninsula authorized to erect building for grand army post and town hall 501
display at Ohio centennial 550
TRUMBULL COUNTY—
erection of soldiers' monument in Warren township 392
erection of soldiers' monument in Vienna township 399
act changing name of Sarah Wilson 462
Hubbard authorized to transfer funds 470
Niles authorized to transfer funds 490
Warren authorized to transfer funds 552
Newton township authorized to purchase additional cemetery grounds 554
TUSCARAWAS COUNTY—
Port Washington authorized to transfer funds 352
commissioners authorized to complete insane building 357
Oxford township authorized to sell certain railroad stock 424
Mineral City authorized to build school-house 476
New Comerstown authorized to vacate and sell certain streets 478
UNION COUNTY—
Richwood school district authorized to issue bonds 393
Jerome township divided into two election precincts 451
display at Ohio centennial 550
VAN WERT COUNTY—
erection of soldiers' memorial building 366
display at Ohio centennial 550
VINTON COUNTY—
Madison township authorized to issue school bonds to pay indebtedness 446
McArthur and Elk township authorized to fund certain indebtedness... 529
WARREN COUNTY—
Franklin authorized to issue water-works bonds 389
Loveland authorized to erect town hall 436
Loveland authorized to transfer funds 443
Springboro authorized to issue water-works bonds 453
amending act relating to purchase of toll roads 471, 560
enabling Union township to satisfy certain bounty claims 536
display at Ohio centennial 550
WASHINGTON COUNTY—
amending act authorizing leasing of ministerial lands 384
Marietta township authorized to transfer funds 401
Beverly authorized to construct certain buildings 505
Beverly authorized to transfer funds 539
display at Ohio centennial 550
WAYNE COUNTY—
Orville authorized to issue bonds to purchase fire engine 368
act for relief of C. D. Gardner 517
act for relief of W. A. Sharick 517
display at Ohio centennial 550

WILLIAMS COUNTY— PAGE
Pioneer special school district authorized to issue bonds ... 381
West Unity and Brady township authorized to build town hall ... 413
commissioners authorized to build court house ... 450
Edgerton authorized to transfer funds ... 508
erection of buildings for protecting road implements ... 536
display at Ohio centennial ... 550
Pulaski township divided into election precincts ... 558
WOOD COUNTY—
Washington township authorized to erect a public hall ... 431
Grand Rapids authorized to issue bonds to pay debts ... 459
Bowling Green authorized to vacate the "old cemetery" ... 481
Bowling Green authorized to issue bonds for certain purposes ... 511
Portage authorized to improve its streets ... 521
display at Ohio centennial ... 550

INDEX TO JOINT RESOLUTIONS.

ADJOURNMENT—
tri-weekly of general assembly 568, 590
final of general assembly 592
ADJUTANT-GENERAL—
electric lighting of supreme court room, &c 569
binding of 600 copies of report 570
separate passageway into south gallery of house of representatives 581
to furnish tents to executive council, G. A. R 583
to loan tents, &c., for certain purposes to be used at Gallipolis 587
repair of statuette of General U. S. Grant 588
ADULTERATED LARD—(See *Congress.*)
AGRICULTURAL EXPERIMENT STATION—
funds appropriated by congress applied to use of 575
AMENDMENTS—(See *Joint Committee*).
ANIMALS—(See *Pleuro-Pneumonia.*)
APPROPRIATION—(See *Ohio Penitentiary.*)
ARMS—(See *Adjutant-General.*)
ARREARS OF PENSIONS—(See *Congress.*)
BINDING—(See *Supervisor of Public Printing.*)
BOARD OF PUBLIC WORKS—(See *East Reservoir.*)
act to encourage building of canal boats 584
settlement with Seth McBride 590
to construct culvert under Miami and Erie canal in Auglaize county ... 598
BOOKS—(See *Secretary of State.*)
BOUNTIES—(See *Congress.*)
CANALS—(See *Board of Public Works.*)
CATTLE—(See *Pleuro-Pneumonia.*)
CENTENNIAL—(See *Marietta; Ohio; Ohio Valley.*)
CHANNELS—(See *Congress.*)
CINCINNATI—(See *Ohio Valley.*)
CLAIMS—(See *Congress; Swamp Lands.*)
CLERK OF SUPREME COURT—
separate passageway into south gallery of house of representatives 581
CLEVELAND INSANE ASYLUM—
retention of Webster Wiedman and H. H. Roper 579
admission of Abram Givens 581
COLUMBUS—(See *National Encampment; Ohio Centennial.*)
COLUMBUS EDISON ELECTRIC LIGHT CO.—(See *Supreme Court of Ohio.*)
COLUMBUS INSANE ASYLUM—
retention of Mrs. Alice Curley in 577
admission of Wilson Stewart 586
COMMISSIONER—(See *Fish and Game; Swamp Lands.*)
COMMISSIONER OF RAILROADS AND TELEGRAPHS—(See *Maps.*)
COMMITTEE—(See *Joint Committee; Reception Committee.*)
COMPUNDED LARD—See (*Congress.*)

CONGRESS— PAGE
requesting resistance to confirmation of L. Q. C. Lamar..... 567
law relative to manufacture and sale of compounded lard recommended 568
improvement of channels and harbors of great lakes recommended..... 569
opposing reduction of wool tariff..... 570
opposing suggestions contained in president's free trade message..... 570
approving bill for eradication of pleuro-pneumonia among cattle..... 572
" " " equalization of bounties..... 572
" " " arrears of pensions in certain cases..... 573
" " " reimbursement of interest on war loans, &c..... 574
application of funds to use of agricultural experiment station..... 575
approving pensioning of Union prisoners of war..... 576
" survey of Muskingum river and Ohio canal..... 578
" rebuilding of Symmes creek dam..... 582
" restoration of navigation on Muskingum river..... 582
" erection of a monument at Ft. Recovery..... 596
CONSTITUTION—(See *Joint Committee.*)
CULVERT—(See *Board of Public Works.*)
CURLEY, MRS. ALICE—(See *Columbus Insane Asylum.*)
DAYTON INSANE ASYLUM—
retention of Elizabeth R. Steele in..... 577
DEPUTY WARDEN—(See *Ohio Penitentiary.*)
DIRECT TAX—(See *Congress.*)
EAST RESERVOIR—
leasing of for purposes of pleasure..... 587
ELECTRIC LIGHT—(See *Supreme Court of Ohio.*)
ENROLLMENT—(See *Secretary of State.*)
EQUALIZATION OF BOUNTIES—(See *Congress.*)
FINAL ADJOURNMENT—
of general assembly..... 592
FISH AND GAME COMMISSION—(See *Secretary of State.*)
FORAKER, GOVERNOR J. B.—
payment of expenses of inauguration..... 584
FORT RECOVERY—
erection of a monument at..... 596
FREE TRADE—(See *Congress.*)
GENERAL ASSEMBLY—(See *Joint Committee.*)
tri-weekly adjournment..... 568, 590
final adjournment..... 592
correct enrollment of H. B. 442..... 589
GIVENS, ABRAM—(See *Cleveland Insane Asylum.*)
GOVERNOR—
requested to forward copies of resolutions.....567, 570, 571, 572, 573, 575, 576 578, 580.
committee to investigate Virginia military land records..... 573
appointment of Marietta centennial commissioners..... 579
requested to forward invitations to centennial celebrations.....575, 580
centennial reception commission..... 592
commissioner of swamp lands..... 593
GRAND ARMY OF THE REPUBLIC—
tents to be furnished to executive council..... 583
GRANT, GENERAL U. S.—
relating to repairing statuette of..... 588
HAEHN, CAPTAIN—(See *Ravenna.*)
HARBORS—(See *Congress.*)
HULLIGAN, DETECTIVE—(See *Ravenna.*)
INAUGURATION—
payment of expenses of governor's inauguration..... 584
INTERMEDIATE PENITENTIARY—(See *Ohio Penitentiary.*)

JOINT COMMITTEE—(See *Reception Committee.*); PAGE
to consider needed legislation relative to Virginia military land records 573
to investigate "trusts" and "pools" 584, 594
to consider subject of taxation 585
to consider subject of removing Ohio penitentiary 595
to prepare amendments to constitution 596
KENDRICK, SAMUEL—(See *Joint Committee.*)
LAKES—(See *Congress.*)
LAKE SUPERIOR—(See *Congress.*)
LAMAR, L. Q. C.—(See *Congress.*)
LANDS—(See *Swamp Lands.*)
LARD—(See *Congress.*)
LAW LIBRARY—(See *Supreme Court of Ohio.*)
LIGHTING—(See *Supreme Court of Ohio.*)
LOGAN BILL—
for equalization of bounties 572
McBRIDE, SETH—(See *Board of Public Works.*)
McMUNN, HARRY—(See *Ravenna.*)
MAPS—
printing of certain railroad 597
MARIETTA CENTENNIAL—
changing date of 575
appointment of commissioners for 579
invitation to other states 575, 580
reception committee 592
MARINES—(See *Congress.*)
MESSAGE—(See *Congress.*)
MIAMI AND ERIE CANAL—(See *Board of Public Works.*)
MILITARY CLAIMS—(See *John Q. Winterstein; Congress.*)
MONUMENT—(See *Ft. Recovery.*)
MUSKINGUM RIVER—(See *Congress.*)
NATIONAL ENCAMPMENT—
tents for at Columbus 583
OHIO CANAL—(See *Congress.*)
OHIO CENTENNIAL—
invitation to other states 580
reception committee 592
OHIO PENITENTIARY—
appropriation to fit up rooms for deputy warden 586
distribution of reports 591
relative to propriety of removing 595
OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME—(See *S. and S. O. H.*)
OHIO VALLEY AND CENTRAL STATES—
centennial reception committee 592
PALMER, SENATOR T. W.—
bill for eradication of pleuro-pneumonia among cattle 572
PAYNE, SENATOR—(See *Congress.*)
PENITENTIARY—(See *Ohio Penitentiary.*)
PENSIONS—(See *Congress.*)
PLEURO PNEUMONIA—(See *Palmer.*)
PLUMB, SENATOR—(See *Logan Bill.*)
POOLS—(See *Joint Committee.*)
PRAIRIE CREEK—(See *Board of Public Works.*)
PRESIDENT—(See *Congress.*)
PRINTING—(See *Supervisor of Public Printing.*)
PRISONERS OF WAR—(See *Congress.*)
PUBLIC DOCUMENTS—(See *Secretary of State.*)
RAILROAD—
maps 597
RAVENNA—
payment of reward for capture of assailants of Captain Haehn and detective Hulligan 589
REBATES—(See *Tolls.*)

RECEPTION COMMITTEE— PAGE
centennial ... 592
REMOVAL—(See *Ohio Penitentiary.*)
REPORTS—(See *Adjutant-General; Ohio Penitentiary.*)
REPRESENTATIVE—(See *Congress; General Assembly.*)
REUNION—(See *Adjutant-General.*)
REVISED STATUTES—(See *Secretary of State.*)
REWARD—(See *Ravenna.*)
ROPER, HOWARD H.—(See *Cleveland Insane Asylum.*)
SAILORS—(See *Congress.*)
SECRETARY OF STATE—
to furnish copy of Revised Statutes to fish and game commissioners ... 571
authorized to sell old documents ... 578
return of H. B. 442 for correct enrollment ... 589
printing of 2,000 copies of S. B. 40 ... 591
SENATOR—(See *Congress.*)
SHERMAN, SENATOR—(See *Congress.*)
SHIP CANAL—
survey of Muskingum river and Ohio canal ... 578
SOLDIERS—(See *Congress.*)
SOLDIERS' AND SAILORS' HOME—
printing of report of trustees ... 574
SOLDIERS' AND SAILORS' ORPHANS' HOME—
requesting superintendent to make certain reports ... 582
STATE CENTENNIAL RECEPTION COMMITTEE—(See *Reception Committee.*)
STEELE, ELIZABETH R.—(See *Dayton Insane Asylum.*)
STEWART, WILSON—(See *Columbus Insane Asylum.*)
SUPERVISOR OF PUBLIC PRINTING—
binding of adjutant-general's report ... 570
printing of reports of trustees of soldiers' and sailors' home ... 574
distribution of penitentiary reports ... 591
printing of S. B. 40 ... 591
" " railroad maps ... 597
SUPREME COURT OF OHIO—
lighting of rooms by electricity ... 569
SUPREME COURT OF U. S.—(See *Lamar, L. Q. C.*)
SWAMP LANDS—
appointment of commissioner and contract with ... 593
SYMMES CREEK DAM—(See *Congress.*)
TARIFF—(See *Wool; Congress.*)
TAXATION—(See *Joint Committee.*)
TENTS—(See *Grand Army of the Republic; Adjutant-General.*)
TOLLS—
rebates to persons building, &c., canal boats ... 588
TRI-WEEKLY—(See *Adjournment.*)
TRUSTS—(See *Joint Committee.*)
UNITED STATES—(See *Congress.*)
VIRGINIA MILITARY LANDS—(See *Joint Committee.*)
WAR CLAIMS—(See *Congress.*)
WAR LOANS—(See *Congress.*)
WASTE PAPER—(See *Secretary of State.*)
WIEDMAN, WEBSTER—(See *Cleveland Insane Asylum.*)
WINTERSTEIN, JOHN Q.—
relative to claim of ... 583
WOOL—
opposing reduction of tariff on ... 570